

Washington, Friday, October 7, 1960

Contents

,					
THE PRESIDENT		Commodity Stabilization Se	rvice	Health, Education, and Wel	lfare
executive Order Amendment of Executive Order No. 10530, providing for the per- formance of certain functions	-	Rules and Regulations: Domestic sugar beet producing areas; proportionate share areas and farm proportionate shares, 1960 crops:		Department See Food and Drug Administra- tion; Public Health Service; So- cial Security Administration.	÷.
vested in or subject to the approval of the President	9633	California Idaho Nebraska	9637 9639 9640	Housing and Home Fine Agency	ance
EXECUTIVE AGENCIES			,	Notices:	
Agricultural Marketing Servi	ce	Federal Aviation Agency		Acting regional administrator, Region IV, Chicago; designation	9657
RULES AND REGULATIONS: rish potatoes grown in Red River Valley of North Dakota and Minnesota; approval of expenses and assessment rate	9642	PROPOSED RULE MAKING: Cessna; airworthiness directive RULES AND REGULATIONS: Lockheed; airworthiness directive	9650 9643	Interior Department See Land Management Bureau; Oil Import Administration. Interstate Commerce Commis	aoisa
Agricultural Research Service Notices: Organization, functions, and au-	•	Federal Power Commission Notices:		Notices: Applications for loan guaranties: Lehigh Valley Railroad Co	9663
thorities	9651	Rate schedules; requests for approvals:		New York, New Haven and Hartford Railroad Co	9663
feat and other product; special services; miscellaneous amend-		Bonneville Power Administra-	9655	Fourth section applications for re-	9662
ments	9642	Southeastern Power Admin- istration	9657	Motor carrier transfer proceed- ings	9663
Agriculture Department		Hearings, etc.: Black Hills Power & Light Co	9653	Justice Department	
dee also Agricultural Marketing Service; Agricultural Research Service; Commodity Stabiliza- tion Service.		East Tennessee Natural Gas Co_ El Paso Natural Gas Co_ Idaho Power Co Natural Gas Pipeline Company	9653 9653 9654	See Alien Property Office. Labor Department	
Iorices: .gricultural Research Service; .assignment of additional func-	9651	of America and Peoples Guif Coast Natural Gas Pipeline Co	9655	Rules and Regulations: Longshoring; persons authorized to certify cargo handling gear	9644
tions 'exas; designation of area for production emergency loans	9652	Panhandle Eastern Pipe Line CoSouthwest Gas Producing Co.,	9656	Land Management Bureau Notices:	
Rules and Regulations:		Inc., et al Stanton Oil Co., Ltd., et al	9656 9654	Michigan; filing of survey plat and	9651
Alien Property Office	0001	Texas National Petroleum Co	9657	Proposed Rule Making: Mineral permits, leases, and li-	
OTICES: Paoletti, Settimo, et al.; intention		Food and Drug Administration	on	censes, and oil and gas leases; miscellaneous amendments	9647
	9651	Proposed Rule Making: Drugs and devices; enforcement		Oil Import Administration	
Atomic Energy Commission NOTICES: University of California Regents:		regulations; extension of time for filing comments	9649	PROPOSED RULE MAKING: Residual fuel oil to be used as fuel; allocations for District I	9645
	9652	Penicillin drugs; certification	9643	(Continued on next page) 9631	

Public Health Service	
Rules and Regulations: School grants for public health training	9644
Social Security Administratio	n
Notices: Social insurance and pension systems; findings:	
Iran and Portugal Luxembourg	9652 9652
Small Business Administrati	on
Notices:	
Authority delegations:	
Administrative services	9658
Financial assistance	9658
Financial assistance, procure-	
ment and technical assistance	
and administration (5 docu-	
ments)9660	-9662
Legal functions (2 documents)	9659.
	9660
Loan administration and liqui-	••••
dation	9659
Loan processing	9659
Organization and management	
(2 documents)	9658
Procurement and technical as-	
sistance	9659
· · · · · · · · · · · · · · · · · · ·	

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR EXECUTIVE ORDERS: 10530 (Amended by EO 10889) 10857 (see EO 10889) 10889		14 CFR 507 PROPOSED RULES: 507	9643 9650	29 CFR 9 32A CFR PROPOSED RULES: OI (CHAP, X):	9644
7 CFR 6		21 CFR 146a PROPOSED RULES: 1 130	9643 9649 9649	OI Reg. 1	9645 9644
9 CFR 40	9642			PROPOSED RULES: 191 192	9647 9647



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pur-

suant to section 11 of the Federal Register Act, as amended August 5, 1953. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the Federal Register, or the Code of Federal Regulations.

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 10889

AMENDMENT OF EXECUTIVE OR-DER NO. 10530,1 PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS VESTED IN OR SUB-JECT TO THE APPROVAL OF THE PRESIDENT

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. Executive Order No. 10530 of May 10, 1954, entitled "Providing for the Performance of Certain Functions Vested in or Subject to the Approval of the President", as amended, is hereby further amended by adding at the end of section 1 thereof new paragraphs (p), (q), and (r), reading as follows:

"(p) The authority vested in the President by section 45(a) of the Alaska Omnibus Act, approved June 25, 1959 (73 Stat. 152), (1) to determine that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, and (2) until July 1, 1964, in his discretion, to transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska and as otherwise described in section 45(a): Provided, that the provisions of this paragraph shall not be construed to affect the authority delegated to the Secretary of the Interior by

¹ 19 F.R. 2790; 3 CFR, 1954 Supp., p. 55.

Executive Order No. 10857 of December 29, 1959, with respect to the transfer and conveyance of property described in section 2 of that order.

section 2 of that order.

"(q) The authority vested in the President by section 5(e) of the act of March 18, 1959, providing for the admission of the State of Hawaii into the Union, 73 Stat. 6, (1) to receive the reports required by the provisions of that section, and (2) to determine that certain land or property is no longer needed by the United States.

by the United States.

"(r) The authority vested in the President by section 40 of the Hawaii Omnibus Act, approved July 12, 1960 (74 Stat. 422), to prescribe procedures to assure that reports submitted pursuant to section 5(e) of the act of March 18, 1959, 73 Stat. 6, shall be prepared in accordance with uniform policies and coordinated within the executive branch of the Government: Provided, that such procedures shall be published in the FEDERAL REGISTER."

SEC. 2. Without prejudice to any action heretofore taken pursuant thereto, the following-described letters of the President, which authorized certain officers to exercise, to the extent therein described, the authority conferred upon the President by section 45(a) of the Alaska Omnibus Act (73 Stat. 152) are hereby superseded: (1) two letters to the Secretary of the Interior dated February 19, 1960, and June 1, 1960, respectively, (2) letter to the Administrator, Ceneral Services Administration, dated March 23, 1960, and (3) letter to the Attorney General dated March 23, 1960.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, October 5, 1960.

[F.R. Doc. 60-9473; Filed, Oct. 5, 1960; 5:08 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Subtitle A-Office of the Secretary of Agriculture

[Import Reg. 1, Rev. 2]

PART 6-IMPORT QUOTAS AND

Subpart—Import Quotas

By virtue of the authority (19 F.R. 76) vested in me under Proclamation 3019 of the President of the United States, dated June 8, 1953 (3 CFR 1949-1953 Comp., p. 189), as amended by Proclamation 3025, dated June 30, 1953 (3 CFR 1949-1953 Comp., p. 194), and amended by Proclamation 3347, dated May 11, 1960 (25 F.R. 4343), it is hereby determined that the following revision of Import Regulation 1, as amended (18 F.R. 3819, 3822, 4544, 5085, 5525 and 19 F.R. 3607), is necessary and appropriate to carry out the objectives of said amended Proclamation.

It is, therefore, ordered that Import Regulation 1, as amended (18 F.R. 3819, 3822, 4544, 5085, 5525, and 19 F.R. 3607); is hereby revised to read as follows:

Sec.

Determination.

6.21 Definitions.

6.22 Prohibitions and restrictions on imports.

6.23 Exceptions.

Policies and procedures regarding ap-6.24 plications for, and issuance of, import licenses.

6.25 Use of import licenses; use and transfer of quota share eligibility.

New business and new licensees.

Records and reports. 6.27 6.28 Suspension; revocation.

6.29 Petitions for relief from hardship.

6.30 Delegation of authority.

Violations.

6.32 Communications.

Effective date.

AUTHORITY: §§ 6.20 to 6.33 issued under sec. 3, 62 Stat. 1248 as amended; 7 U.S.C. 624; Proclamation 3019 (3 CFR, 1949-1953 Comp., p. 189); Proclamation 3025 (3 CFR, 1949-1953 Comp., p. 194); Proclamation 3347 (25 F.R. 4343).

§ 6.20 Determination.

By virtue of the authority vested in me under Proclamation 3019 of the President of the United States; dated June 8, 1953 (3 CFR, 1949-1953 Comp., p. 189) as amended by Proclamation 3025, dated June 30, 1953 (3 CFR, 1949-1953 Comp., p. 194), and as further amended by Proclamation 3347 dated May 11, 1960 (25 F.R. 4343), it is hereby determined that the regulations set forth in §§ 6.20 to 6.33, relating to the importation of designated agricultural commodities and products, will, to the fullest extent practicable, result in (a) the equitable distribution, among importers or users, of the respective quotas for the articles referred to in Appendix 1 of §§ 6.20 to 6.33 and included in Lists I and II of said

Proclamation 3019, and (b) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during the previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit any such articles to be imported during any 12-month period beginning July 1 in excess of the respective quantities specified for such articles in Groups I and II of said Appendix 1 and, in the case of articles contained in Group II, during the first four months and the first eight months of any such 12-month period in excess of one-third and two-thirds, respectively, of such specified quantities.

§ 6.21 Definitions.

Except where the context otherwise requires, the following terms shall have the meanings set forth in this section;

(a) "Director" means the Director, Import Division, Foreign Agricultural Service. United States Department of Agriculture, and any other officer or employee of the Department designated in writing as Acting Director in the absence of the Director.

(b) "Appendix 1" means Appendix 1 of §§ 6.20 to 6.33.

(c) "Import" or "enter" means to enter through, or withdraw from warehouse under custody of the U.S. Bureau of Customs for consumption in the United States.

(d) "United States" means the United States, its Territories and possessions (except the Virgin Islands, American Samoa, the Canal Zone, and the island

of Guam), and the District of Columbia.
(e) "Person" includes any individual, firm, corporation, partnership, association, or other organized group of persons and the legal successor or representative of any of the foregoing. It also includes any government (other than the Government of the United States and any agency thereof) and political subdivision thereof, and any agency of such a government or political subdivision.

(f) "Licensee" means any person to whom an import license has been issued pursuant to §§ 6.20 to 6.33.

(g) "Quota period" means the 12month period beginning on July 1 of any year.

(h) "Commodity" means any commodity or product subject to §§ 6.20 to 6.33.

(i) "Butter" means butter, fresh or sour cream containing more than 45 percent of butterfat, and all other products dutiable as butter.

(j) "Dried cream" means dried cream, dried whole milk containing more than 35 percent of butterfat, and all other products dutiable as dried cream.

(k) "Dried whole milk" means dried whole milk containing not more than 35 percent of butterfat, dried buttermilk containing more than 6 percent of butterfat, dried skimmed milk containing more than 3 percent of butterfat, and all other products dutiable as dried whole milk.

(1) "Dried buttermilk" means dried buttermilk containing not more than 6 percent of butterfat, and all other products dutiable as dried buttermilk.

(m) "Malted milk" means malted milk, and compounds or mixtures of or substitutes for milk or cream, whether or not the milk or cream components in the aggregate constitute the component of chief value, and all products dutiable as malted milk.

(n) "Dried skimmed milk" means dried skimmed milk (nonfat dry milk solids) containing not more than 3 percent of butterfat, and all other products dutiable as dried skimmed milk.

(o) "Cheese" means each type and

variety of cheese listed in Appendix 1.

(p) The terms "Supplying country" and "Country of origin" mean the country in which the commodity produced.

§ 6.22 Prohibitions and restrictions on imports.

(a) No person shall import or cause to be imported any commodity referred to in Appendix 1, except as provided in § 6.23 or as authorized by an import license issued pursuant to §§ 6.20 to 6.33.

(b) The issuance of an import license does not relieve any person from compliance with any requirement of §§ 6.20 to 6.33 or any other applicable laws and regulations.

§ 6.23 Exceptions.

The requirements of §§ 6.20 to 6.33 shall not apply: (a) To any commodity imported by or for the account of any department or agency of the Government of the United States or (b) to any commodity which may be imported as a sample for taking orders for merchandise, or for the personal use of the importer (including any commodity brought in or sent in as a bona fide gift or for disposition by the importer as a bona fide gift), when the aggregate value of such commodities in any importation is not over ten dollars.

§ 6.24 Policies and procedures regarding applications for, and issuance of, import licenses.

Import license for the commodities referred to in Appendix 1 will be issued as follows:

(a) Any person subject to the jurisdiction of the United States who desires a license to import any commodity may make application therefor by letter or telegram or on such form as may be issued for this purpose by the Director, addressed to the Director, Import Divi-Foreign Agricultural Service, United States Department of Agriculture, Washington 25, D.C., Ref.: IR-D (Agricultural Imports).

- (b) Applications for import licenses shall state the port or ports of entry at which it is desired to import the commodity covered by the application. If two or more ports of entry are specified, the applicant shall indicate the quantity to be imported at each port of entry.
- (c) Each import license will specify the country of origin from which the commodity listed in Appendix 1 is to be imported and the amount to be imported. Any licensee who considers the importation of a commodity from the country of origin specified in the license impractical because of supply, quality, demand, transportation, restrictions, or other factors affecting the trade in the commodity concerned, may request the Director to specify another country as the country of origin. Such a request shall set forth the factors affecting the trade which in the opinion of the licensee make imports impractical and state the action taken by the licensee to utilize his license. Upon evidence satisfactory to him, the Director may transfer all or a portion of a licensee's quota share to another country of origin for the quota period.
- (d) Inasmuch as licenses to import commodities during the quota period beginning July 1, 1960, have already been issued under the provisions of Import Regulation 1, Revision 1, heretofore in effect, any person who is eligible under the provisions of this subpart (Import, Regulation 1, Revision 2), for a license or licenses to import, during the quota period beginning July 1, 1960, quantities of commodities in addition to the quantitles for which he was entitled to receive an import license for such quota period under Revision 1, shall make application for such additional license or licenses pursuant to the provisions of this subpart (Revision 2), except that such application shall be postmarked not later than October 30, 1960.
- (e) (1) Butter. (i) Applications for licenses to import butter during any quota period shall be made to the Director and shall be postmarked not later than May 31 preceding the beginning of the quota period for which the license is requested. To be eligible for a license to import butter, an applicant shall be eligible, pursuant to subparagraph (2) or (3) of this paragraph, for an import license for dried cream, dried whole milk, dried buttermilk, dried skimmed milk, malted milk, or cheese, for the quota period for which application is being made. Only one application shall be considered for each applicant for each quota period. The application shall specify as the country of origin either New Zealand, Denmark or one of the Group Countries listed in Appendix 1.
- (ii) If the aggregate quantity applied for from Denmark or New Zealand or the group of specified countries exceeds the applicable annual import quota, the quota shall be divided among, and import licenses shall be issued to, eligible applicants in equal quantities, except that the quantity licensed to an applicant shall not exceed the quantity for which he made application.
- (iii) Each import license will specify the country of origin from which the butter may be imported.

- (2) Dried cream, dried whole milk, dried buttermilk, malted milk, and dried skimmed milk. (i) Any person who imported dried cream, dried whole milk, dried buttermilk, malted milk, or dried skimmed milk during the applicable base period specified in subdivision (ii) of this subparagraph and who desires to import such commodity subsequent to June 30, 1960, shall, if he has not already done so. apply to the Director for an import license and submit a signed statement showing imports of such commodity made in his own name as the importer of record during such specified base period in accordance with the provisions of paragraph (f) of this section. Such application and statement shall be postmarked not later than May 31 preceding the beginning of any quota period during which imports are to be made.
- (ii) The base periods for the several commodities are:
- (a) Dried cream, dried whole milk, dried buttermilk—January 1, 1951, through December 31, 1952.
- (b) Malted milk—July 1, 1951, through June 30, 1952.
- (c) Dried skimmed milk—July 1, 1950, through August 8, 1951.
- (iii) The annual import quota for each of the above-named commodities shall be apportioned among, and import licenses shall be issued to eligible applicants on the basis of each applicant's proportion of the total imports of the respective commodity during the specified base period.
- (iv) Import licenses shall specify the quantity which may be imported from a particular country of origin.
- (3) Cheese. (i) Any person who imported any type of cheese referred to in Appendix 1 during the period January 1. 1948, through August 8, 1951, and who desires to import such type of cheese subsequent to June 30, 1960, shall, if he has not already done so, submit to the Director not later than May 31 preceding the beginning of the quota period, a signed statement showing imports of such cheese made in his own name as the importer of record during the period January 1, 1948, through December 31, 1950, or, if he did not import such cheese during such period, during the period January 1, 1951, through August 8, 1951, in accordance with the provisions of paragraph (f) of this section.
- (ii) The annual import quota for each type of cheese listed in Appendix 1, subject to the requirements of subdivision (iii) of this subparagraph and of § 6.26, shall be apportioned among, and import licenses shall be issued to eligible applicants on the following basis: The quota base for each applicant under this section for each type of cheese shall be the highest of the following: (a) His imports of such cheese during the 1950 calendar year, and, if he made no importations during the 1948, 1949, or 1950 calendar years, his importations from January 1, 1951, to August 8, 1951, inclusive, shall be treated as if made in 1950; (b) the arithmetical annual average of his imports of such cheese in the calendar years 1948, 1949, and 1950 multiplied by the factor obtained by dividing the total of applicants' 1950 calendar year imports

of such cheese by the total of the arithmetical annual averages of applicants' imports of such cheese made during such three calendar years; or (c) the arithmetical annual average of his imports of such cheese made during the calendar years 1949 and 1950 multiplied by the factor obtained by dividing the total of applicants' 1950 imports of such cheese by the total of the arithmetical annual averages of applicants' imports of such cheese made during the calendar years 1949 and 1950. Each applicant under this section shall receive an import license for a quantity of each type of cheese computed by multiplying the applicant's quota base by the factor obtained by dividing the total amount of such type of cheese allocated for licensing under this section by the total of the quota bases for all eligible applicants for such type of cheese. To assure equitable apportionment of the annual import quotas for cheese, no person shall be issued an import license pursuant to the provisions of this subparagraph to import more than 30 percent of the aggregate quantity of any type of cheese authorized for importation during any quota period from a particular country of origin unless the Director shall determine that the application of such restriction in a particular instance is not practicable due to the small quantity of the type of cheese permitted to be imported from the particular country.

(iii) Any quantity of a particular type of cheese for which import licenses are not issued as a result of the application of the 30 percent limitation provided in subdivision (ii) of this subparagraph shall be available for apportionment in the following manner among persons to whom import licenses have been issued. pursuant to subdivision (ii) of this subparagraph, to import such type of cheese during such quota period. The Director shall notify eligible persons of the quantity of each type of cheese which may be available annually for such apportionment, the countries of origin, and the date by which applications therefor shall be made. If the aggregate quantity of the particular type of cheese applied for from any country of origin exceeds the available quantity the available quantity shall be apportioned among, and import licenses shall be issued to, eligible applicants in the proportion that each applicant's share of the annual import quota for such type of cheese, determined pursuant to subdivision (ii) of this subparagraph, is of the sum of all eligible applicants' quota shares.

(iv) For each quota period, initial import licenses shall be issued to each eligible importer for approximately one-third of his share of the applicable annual import quota. Subsequent import licenses shall be issued at intervals of approximately four months in amounts of approximately one-third each of such share. If any quota share is too small to permit division into three feasible handling and shipping units, the Director may issue the initial import license for a quantity not in excess of such importer's annual quota share.

(f) Except in the case of butter, the applicant shall submit a summary state-

ment of his importations, during the applicable base period specified in paragraph (e) of this section, for the particular commodity for which a quota share is desired. This statement shall show the following for each importation: Description of the commodity, Custom entry number, port of entry, date of entry, country of origin, name of vessel or carrier on arrival, and quantity in net pounds. The Director may, to verify the accuracy of the statement, require submission of documentary or other satisfactory evidence.

§ 6.25 Use of import licenses; use and transfer of quota share eligibility.

- (a) No person shall assign or transfer any import license, either in whole or in part, except as authorized in writing by the Director. An import license may be used only for importation of the commodity specified therein by the named licensee or by a licensed customs broker for the account of the named licensee.
- (b) A "Customs Copy" of each license will be sent to the Collector of Customs at the port of entry stated on the license. This copy will be retained by the Collector to whom sent, unless otherwise requested by the Director.
- (c) Importation may be made only at the specified port of entry. However, upon prior application to the Director by the licensee, arrangements may be made for importation at another port of entry.
- (d) The commodity imported must be a product of the "country of origin" specified in the license.
- (e) Each licensee shall be responsible for the use made of his import license and for any importation in excess of the quantity authorized.
- (f) The eligibility for a share of the annual import quota of any commodity for any person, determined pursuant to the provisions of § 6.24, may be transferred to a successor in interest if the Director finds, on the basis of evidence acceptable to him, that the person for whom such quota share was determined is selling, assigning or otherwise transferring his business to a successor and the successor is assuming the operation of the business.

§ 6.26 New business and new licenses.

The allocations provided in this Section shall be licensed as follows and any residue of the allocations not licensed in accordance with this section shall be redistributed pursuant to the provisions of § 6.24:

- (a) For each quota period an allocation of 353,000 pounds of dried skimmed milk and an allocation of 350,000 pounds of dried buttermilk have been made for licensing to persons who during the preceding quota period were in the business of importing any other commodity listed in Appendix 1 and who were not eligible pursuant to § 6.24 for an import license for either dried skimmed milk or dried buttermilk, as the case may be. A license of 1,000 pounds or any lesser amount as requested by the applicant will be issued to each such person who makes application pursuant to paragraph (d) of this section.
- (b) For each quota period an allocation of 18,000 pounds of Cheddar cheese

and an allocation of 18,000 pounds of Blue-mold cheese have been made for licensing to persons who during the preceding quota period were in the business of importing any commodity listed in Appendix 1 except cheese and who were not eligible pursuant to § 6.24 for a license to import any type of cheese listed in Appendix 1. A license of 1,000 pounds or any lesser amount as requested by the applicant for either Cheddar cheese or Blue-mold cheese will be issued to each such person who makes application pursuant to paragraph (d) of this section.

(c) For each quota period an allocation of 920,000 pounds of Edam and Gouda cheese and of 1,150,000 pounds of Italian type cheese made from cow's milk have been made for licensing to persons who during the preceding quota period were not eligible for an import license for such cheese pursuant to § 6.24: Provided, That the applicant shall not be eligible for an import license pursuant to this paragraph (c) unless he made a commercial importation of a food product in his name as the importer of record during the quota period next preceding the quota period for which application is made. A license will be issued to each eligible applicant. amount specified in the license will be 5.000 pounds or such lesser amount as is requested by the applicant, except that if the total amount requested by all applicants exceeds the applicable allocation, the available quantity shall be divided equally among the applicants.

(d) A letter of application for a quota share under this Section shall be addressed to the Director and shall be postmarked not later than October 30, 1960, for the quota period beginning July 1, 1960, and not later than May 31 preceding each quota period thereafter. The letter of application shall set forth the commodity, the quantity desired, the country of origin and the port of entry through which the commodity will be imported. In addition, the letter of application for a license under paragraph (c) of this section shall list the food products imported by the applicant during the quota period next preceding the quota period for which application is made.

(e) Once established, the eligibility of each applicant for a quota share, pursuant to this section, shall be continued for subsequent quota periods except as otherwise provided in § 6.28. Licenses issued pursuant to this section shall be subject to the same terms and conditions as the licenses issued pursuant to § 6.24. No person shall be eligible under this section for a quota share of more than one commodity.

§ 6.27 Records and reports.

(a) Each person making a licensed importation shall file with the Collector of Customs a completed form FAS 53, and such other form as may be required by the Director. Form FAS 53 shall be signed by the licensee or by a licensed Customs broker for the account of the licensee and transmitted by the Collector of Customs to the Import Division, Foreign Agricultural Service, United States Department of Agriculture, Washington 25, D.C.

- (b) Persons importing commodities listed in Appendix 1 shall retain records of all such importations and of the transactions relating to the procurement and disposition of such commodities for a period of not less than two years subsequent to the end of the quota period during which the importation was made.
- (c) The Director shall be entitled to make such audit and inspection of the books, records, and other writings, premises, and stocks of commodities of any person, and to make such investigations, as may be necessary or appropriate, in the enforcement or administration of the regulations in this subpart.

§ 6.28 Suspension; revocation.

- (a) The import licenses issued to any person shall be subject to suspension and revocation if, after notice to the licensee, the Director finds that such person has improperly used any such license or otherwise violated the provisions of §§ 6.20 to 6.33.
- (b) The Director shall take such action as he deems appropriate to assure opportunity for the importation of the annual import quota of each commodity. For this purpose the Director may require each licensee to submit evidence of his intent and ability to import all or substantially all of his quota share. Failure of a licensee to import substantially all of his quota share of a commodity may result in a reduction of his quota share, and failure to import all of his quota share may result in suspension of his quota share. In the case of action under this subsection, the Director shall notify the licensee of such action.

§ 6.29 Petitions for relief from hard-ships.

(a) Any person affected by §§ 6.20 to 6.33 who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Director. Petitions shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor. The Director may take such action with reference to the petition as he deems appropriate.

(b) If the petitioner is dissatisfied with the action taken by the Director on the petition, he may obtain, by requesting the Administrator, Foreign Agricultural Service, a review of such action by the Administrator. After said review, the Administrator will take such action as he deems appropriate, which action shall be final.

§ 6.30 Delegation of authority.

The administration of §§ 6.20 to 6.33 and the powers vested in the Administrator, Foreign Agricultural Service, insofar as such powers relate thereto are hereby delegated to the Director, except the authority to review, upon appeal, action taken by the Director on petitions for relief from hardship filed pursuant to § 6.29. The Director, in administering these regulations, may promulgate interpretative rules and issue statements of policy which he determines necessary for the efficient administration hereof.

§ 6.31 Violations.

Any person who violates any provision of §§ 6.20 to 6.33 may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or enjoin any violation of, any provision of §§ 6.20 to 6.33 or requirements pursuant hereto. Any quantity of a commodity imported by any person contrary to §§ 6.20 to 6.33 may be charged against any unused import license held by, or to be issued to, such person for such commodity.

§ 6.32 Communications.

All reports required to be filed under §§ 6.20 to 6.33 and all communications concerning §§ 6.20 to 6.33 shall, unless instructions to the contrary are issued by the Director, be addressed to the Director, Import Division, Foreign Agricultural Service, United States Department of Agriculture, Washington 25, D.C.

§ 6.33 Effective date.

Sections 6.20 to 6.33 shall become effective upon publication and, except as herein provided, shall therefor supersede the provisions of Import Regulation 1, Revision 1, heretofore in effect. With respect to violations, rights accrued, liabilities incurred, or appeals taken concerning Import Regulation 1, as amended and revised, prior to the effective date hereof, all provisions of said Import Regulation 1, as amended and as revised, in effect at the time when such violations occurred, rights accrued, liabilities incurred, or appeals taken shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

Import Regulation 1, Revision 1, which became effective July 1, 1954, was issued June 15, 1954 (19 F.R. 3607) and invited proposals for the amendment or modification thereof. Numerous recommendations and suggestions for amendment or modification have been received and have been given consideration. In addition, experiences gained in the administration of the provisions of Import Regulation 1, Revision 1, have indicated the desirability for certain other modifications.

In accordance with the requirements of Import Regulation 1, Revision 1, heretofore in effect, the time for filing applications for the importation of certain commodities during the 1960-61 quota period has already expired. Revision 2, however, furnishes additional time within which certain applicants may apply for import licenses. Further, the revised regulation, among other things, prescribes the policies and procedures for the issuance of certain import licenses for the quota period beginning July 1. 1960, and should, therefore, be made effective at the earliest practicable date to enable persons entitled thereto to apply for, and receive such licenses. Some of the procedural changes effected by this revision do not require any special preparation by persons affected thereby, while, some changes relieve restrictions and should be made effective promptly to enable all persons to avail themselves of the benefits resulting therefrom.

The effectiveness during the current quota period of certain procedural provisions of and increased annual import quotas under Import Regulation 1, Revision 1, could not be accurately determined until the closing weeks of such quota period: and, therefore, it was only recently that the need for and the desirability of certain revisions could be fully established. In addition, certain necessary supplemental data and information upon which the revision is, in part, predicated has only recently become available.

Proposals for amendment or modification of this revision are invited. They may be addressed to the Director, Import Division, Foreign Agricultural Service, United States Department, Washington 25, D.C. All proposals received by October 30, 1960 will be given immediate consideration. Any such proposal should be accompanied by a written statement in explanation and support of such proposal.

It is hereby determined that the foregoing revision of Import Regulation 1 is necessary and must be made effective as soon as possible, in order to carry out the provisions of Proclamation 3019, as amended. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it is found upon good cause that notice and other public rule-making procedure concerning the revision are impracticable, unnecessary, and contrary to the public interest and that good cause exists for making the revision effective less than 30 days after publication in the Federal Register.

Note: The reporting and record-keeping requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D.C., this 3d day of October 1960.

Max Myers, Administrator.

APPENDIX 1—COMMODITIES SUPJECT TO IMPORT REGU-LATION 1, REVISION 2, AND ANNUAL IMPORT QUOTAS FOR EACH QUOTA PERIOD (JULY 1 THROUGH JUNE 30)

Commodit y	Annual import quota in pounds (aggre- gate quantity)
Group I: (a) Butter: New Zealand Denmark Argentina, Australia, Canada, Netherlands, Norway, Sweden, and Switzerland (b) Dried cream. (c) Malted milk (d) Dried whole milk (e) Dried skimmed milk	7,000 1,807,000
(f) Dried buttermilk	2, 780, 100 9, 200, 400
Bine-mold cheese (creept Stilton), and Cheese and substitutes for cheese containing, or processed from Bine-mold cheese. Italian type cheeses made from cow's	4, 167, 000
milk, in original loaves. Romano made from cow's milk Reggiano. Parmesano Provoloni Provoletto Sbrinz.	11, 500, 100

[F.R. Doc. 60-9403; Filed, Oct. 6, 1960; 8:47 a.m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER G-DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 850.122, as Amended, Supp. 5]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

California Proportionate Share Areas and Farm Proportionate Shares for 1960 Crop

Pursuant to the provisions of § 850.122 (24 F.R. 10611; 25 F.R. 3574, 4427, 7357, 8067), the Agricultural Stabilization and Conservation California State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares for the 1960 sugar beet crop from the allocation of 213,702 acres and the supplemental allocation of 3,258 acres established for California, or from any unused acreage redistributed to California. Copies of these bases and procedures are available for public inspection at the office of such Committee at 2020 Milvia Street, Berkeley, California, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of California. These bases and procedures incorporate the following:

§ 850.127 California.

(a) Proportionate share areas. California shall be divided into two proportionate share areas, one of which shall comprise all of California except Imperial County and the other shall be Imperial County. These areas shall be designated the "Northern Area" and the "Imperial Area", respectively. Acreage allotments of 167,267 and 46,435 acres respectively, are established for these areas on the basis of the average accredited acreage for the crop years 1955 through 1959, as a measure of "past production" and "ability to produce" sugar beets, with pro rata adjustments to the State allocation of 213,702 acres.

(b) Set-asides of acreage. Set-asides of acreage shall be made from area allotments as follows: Northern Area—836 acres for new producers, 2,509 acres for small producers, 1,673 acres for appeals, and 3,345 acres for adjustments in initial shares; Imperial Area—464 acres for new producers, 464 acres for small producers, 696 acres for appeals, and 2,000 acres for adjustments in initial shares.

(c) Requests for proportionate shares. A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU-100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date of such filing, as provided in § 850.122. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU-100 shall be filed by May 24, 1960, for Imperial County and by March 1, 1960 for all other counties. However, requests for proportionate shares may be accepted after such dates and shares may be established if the State Committee

determines that in any such case the farm operator was prevented from filing a completed Form SU-100 by such dates because of absence, illness or other reason beyond his control.

(d) Establishment of individual proportionate shares for old-producer farms—(1) Farm bases. If the 1960 operator of the farm is a tenant having a personal accredited acreage record for any of the crop years 1955 through 1959, the farm base shall be the larger of the result of dividing by five his total personal accredited acreage for the years 1955 through 1959, or dividing by five the landowner's shares of the accredited acreages on the farm for the years 1955 through 1959, except that if a new-producer share was established for the farm he operated in one of the years 1956-59. the 1960 farm base shall be the largest of the result of dividing by five the personal accredited acreage record of such tenant for the crop years 1956-59, the 1959-crop accredited acreage of the farm operated by him but not to exceed the 1959-crop proportionate share originally established for such farm, or the result of dividing by five the landowner's shares of the accredited acreages on the farm during the years 1956-59. If the 1960 operator is a tenant without a personal accredited acreage record in any of the crop years 1955--59 or is the owner of the farm, the 1960 base shall be the result of dividing by five the landowner's shares of the accredited acreages on the farm for the years 1955-59, except that if a new-producer share was established for such farm while operated by such owner in one of the years 1956 through 1959, the 1960 base shall be the larger of the result of dividing by five the total accredited acreage record for the farm for the years 1956-59, or the 1959-crop accredited acreage of the farm but not to exceed the 1959-crop proportionate share originally established for the farm. Personal history earned in California may be used in either area or divided between the areas.

(2) Initial proportionate shares. For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section and exclusive of the supplemental State allocation of 3,258 acres. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages, and for all other farms initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established so as to coincide with requested acreages. The proration factors for the areas shall be as follows: Northern Area-1.0763 and Imperial Area-1.0424.

(3) Adjustments in initial shares. Within the acreage available from the set-aside for adjustments, and from

acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, crop rotation, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator. The acreage set aside for small producers in each area shall be used to increase the proportionate shares of all farms in such area for which the relatively smallest shares would otherwise be established and for which additional acreages are requested, by taking into consideration the factors enumerated above so as to attain insofar as possible a common acreage level not to exceed 25 acres in the Northern Area and the smaller of 35 acres or 25 percent of the cropland of the farm, in the Imperial Area. These limits were determined on the basis of the acreage set aside, the size of proportionate shares for small farms and of sugar beet operations of small producers in each area, and the aforestated general considerations. In addition, in the Imperial Area. if the 1958 accredited acreage of a farm is less than 95 percent of the 1958 established share for the farm, the 1960 share shall be adjusted by the difference between the proportionate share, as established pursuant to subparagraphs (1) (2) of this paragraph and a recomputed share obtained by substituting 95 percent of the 1958 established share in place of the 1958 accredited acreage for the farm.

(e) Establishment of individual proportionate shares for new-producer farms. Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1960crop year by new producers (as defined in § 850.122). The State Committee has determined that the minimum acreage which is economically feasible to plant as a new-producer farm share shall be 25 acres for the Northern Area, and the smaller of 35 acres or 25 percent of the cropland on the farm for the Imperial Area. In determining whether a farm for which a request is filed for a newproducer share may qualify for such a share, and to assist in establishing newproducer shares which are fair and equitable as to relative size among qualified farms, the State Committee, by taking into consideration availability and suitability of land, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities, shall rate each farm as provided in § 850.122 paragraph (j) and shall establish new-producer farm proportionate shares as provided therein. The acreage available for establishing new-producer shares in each area, after deducting the amount necessary to establish shares for applicants rated as outstanding, shall be distributed to counties on the basis of equal weight to the total of the old-producer farm bases and the number of well-qualified requests for new-producer shares within each county.

(f) Adjustments under appeals. Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.122, applicable to appeals.

(g) Adjustments because of unused or unalloted acreage. Any acreage made available during the 1960-crop season by underplanting or failure to plant proportionate share acreage on farms in any county shall be reported to the ASC State Committee. Acreages released and so reported, together with available acreages from unused set-asides, from other sources of unused acreage, or from any acreage made available pursuant to \$850.122, paragraph (b) (3) and (4), shall be distributed to farms in the State whereon additional acreage may be used.

(h) Notification of farm operators.

The farm operator shall be notified concerning the proportionate share established for his farm on Form SU-103, Notice of Farm Proportionate Share-1960 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU-103-A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU-103-B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(1) Redetermination of proportionate share. The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.122.

(j) Determination provisions prevail. The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.122.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation California State Committee for determining farm proportionate shares in California in accordance with the determination of proportionate shares for the 1960 crop of sugar beets, as issued by the Secretary of Agriculture.

California is divided into the same two areas. Informal relationships are maintained with grower and processor representatives. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by applying formulas to the accredited acreages for the crop years 1955-59 except that a more favorable formula is applied

in cases involving new-producer shares in 1956, 1957, 1958, or 1959.

Farm shares for new producers are established as provided in § 850.122.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies Secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Sup. 1131, 1132)

JOSEPH L. PUPPO, Chairman, Agricultural Stabilization and Conservation California State Committee.

SEPTEMBER 7, 1960.

Approved: September 29, 1960.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60-9421; Filed, Oct. 6, 1960; 8:50 a.m.]

[Sugar Determination 850.122, as amended, Supp. 21]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Idaho Proportionate Share Areas and Farm Proportionate Shares for 1960 Crop

Pursuant to the provisions of § 850.122 (24 F.R. 10611; 25 F.R. 3574, 4427, 7357, 8067), the Agricultural Stabilization and Conservation Idaho State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 93.966 acres and the supplemental allocation of 1,432 acres established for Idaho, or from any unused acreage redistributed to Idaho. Copies of these bases and procedures are available for public inspection at the office of such committee at 1524 Vista Street. Boise, Idaho, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Idaho. These bases and procedures incorporate the following:

§ 850.143 Idaho.

(a) Proportionate share areas. Idaho shall be divided into four proportionate share areas as served by beet sugar companies. These areas shall be designated as follows: Nyssa-Nampa; Twin Falls, Burley, Rupert; Utah-Idaho; and Franklin County. Acreage allotments for these areas shall be computed on the basis of the average accredited acreage for the crop years 1956 through 1959 for each area as a measure of "past production" and "ability to produce" sugar beets, with pro rata adjustments to the State allocation of 93,966 acres. This results in the following area acreage allocations: Nyssa-Nampa Area—33,927

acres; Twin Falls, Burley, Rupert Area—38,266 acres; Utah-Idaho Area—16,283 acres; and Franklin County Area—5,490 acres.

(b) Set-asides of acreage. Set-asides of acreage shall be made from area allotments as follows: For new producers: Nyssa-Nampa Area—170 acres; Twin Falls, Burley, Rupert Area—191 acres; Franklin County Area—55 acres; and Utah-Idaho Area—82 acres; for small producers: Nyssa-Nampa Area—509 acres; Twin Falls, Burley, Rupert Area-574 acres; Franklin County Area-55 acres; and Utah-Idaho Area-244 acres; for appeals: Nyssa-Nampa Area-339 acres; Twin Falls, Burley, Rupert Area-383 acres; Franklin County Area—55 acres; and Utah-Idaho Area-163 acres; and for adjustments in initial shares: Nyssa-Nampa Area—130 acres; Twin Falls, Burley, Rupert Area-0 acres; Franklin County Area—0 acres; and Utah-Idaho Area—212 acres.

(c) Requests for proportionate shares. A request for each farm proportionate share shall be filed at the local ASC county office on form SU-100, Request for Sugar Beet 'Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.122. If a preliminary request for a tentative farm proportionate share is filed, as provided in § 850.122, a fully completed form SU-100 shall be filed by March 16, 1960. However, requests for proportionate shares may be accepted after such dates and shares may be established if the State committee determines that in any such case the farm operator was prevented from filing a complete form SU-100 by such dates because of absence, illness or other reason beyond his control.

(d) Establishment of individual farm proportionate shares for old-producers farms—(1) Farm bases. For each farm in the Nyssa-Nampa Area whose operator is a tenant having a personal accredited acreage record other than as a new producer, during any of the crop years 1956-59 (the base period), and his personal accredited acreage record for such years is not identical with the farm history record of the farm he will operate in 1960, the 1960 base shall be the larger of 50 percent of the result of dividing by four the sum of the accredited acreage for the farm for the base period and the personal history credit of the tenant for such period or 90 percent of the larger of the result of dividing by four the sum of the accredited acreage of the farm for the base period or dividing by four the sum of the personal history credit of the tenant for such period. If the operator is a tenant who operated a farm for which a newproducer share was established in any of the crop years 1957-59 and his personal accredited acreage record for such years is not identical with the farm history record of the farm he will operate in 1960, the 1960 base shall be the larger of 50 percent of the result of dividing by four the sum of the accredited acreage for the farm for the crop years 1957-59 and the personal history credit of the tenant for such years or the smaller of the 1959 established share or

accredited acreage of the farm. If the operator is the owner of the farm other than as a former new producer or is a tenant whose personal accredited acreage record for the base period is identical with the farm history record for such period of the farm he will operate in 1960, the 1960 base shall be 105 percent of the result of dividing by four the accredited acreage of the farm for the base period. If the operator is the owner or is a tenant whose personal history record is identical with the farm history record for the base period and a new-producer share was established for such farm in 1957-59, the 1960 base shall be the larger of 105 percent of the result of dividing by four the accredited acreage of the farm for the crop years 1957-59 or the smaller of the 1959 established share or accredited acreage for the farm. For the Twin Falls, Burley, Rupert Area and the Franklin County Area, the 1960 base shall be the result of dividing by three the 1957 through 1959 accredited acreage record of the farm, except that for any such farm for which a new-producer share was established in 1958 or 1959, the farm base shall be the larger of the result of dividing by three the 1958-59 accredited acreage record of the farm or the smaller of the 1959 established share or accredited acreage for the farm. For the Utah-Idaho Area, the 1960 base shall be the result of dividing by four the 1956 through 1959 accredited acreage record of the farm, except that for any such farm for which a new-producer share was established in 1957, 1958, or 1959, the farm base shall be the larger of the result of dividing by four the 1957-59 accredited acreage record of the farm or the smaller of the 1959 established share or accredited acreage for the farm.

(2) Initial proportionate shares. For each proportionate share area, the total of individual farm bases for old producers, as established pursuant to this paragraph (d), is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section and exclusive of the supplemental State allocation of 1,432 acres. Accordingly, initial proportionate shares shall coincide with the requested acreages for farms for which the respective requested acreages are equal to or less than farm bases, and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph. The proration factor for each area shall be as follows: Nyssa-Nampa Area-1.020; Twin Falls, Burley, Rupert Area—1.025; Utah-Idaho Area—1.100; and Franklin County Area-1.020.

(3) Adjustments in initial shares. Within the acreage available from the set-aside for adjustments and from acreage of initial shares in excess of the requested acreage in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair

and equitable as compared with proportionate shares for all other farms in the area by taking into consideration the availability and suitability of land, area of available fields, crop rotation, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator. The acreage set aside for small producers in each area shall be used to increase the proportionate shares of all farms in such area for which the relatively smallest shares would otherwise be established and for which additional acreages are requested, by taking into consideration the factors enumerated above so as to attain, insofar as possible, a common acreage level not to exceed 8 acres of sugar beets in the Nyssa-Nampa Area and 5 acres in the other areas, the acreages determined by the State Committee as the minimum economically feasible to plant in each area.

(e) Establishment of individual proportionate shares for new-producer farms. Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1960crop year by new producers (as defined in § 850.122). The State Committee has determined that a 8.0-acre share is the minimum acreage which is economically feasible to plant as a new-producer farm share in the Nyssa-Nampa Area and a 5.0 acre share is the minimum in the other areas. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the State Committee, by taking into consideration availability and suitability of land, adequacy of drainage, the production experience of the operator, and the availability or production and marketing facilities, shall rate each farm, as provided in § 850.122 paragraph (j), and shall establish new-producer farm proportionate shares as provided therein. The acreage available for establishing new-producer shares in each area shall be allotted, in minimum economic units, to counties within the area on the basis of the ratings of applicants under the aforestated considerations, and the total farm bases of old-producer farms.

(f) Adjustments under appeals. Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.122 applicable to appeals.

(g) Adjustments because of unused or unallotted acreage. Any acreage made available during the 1960-crop season by underplanting or failure to plant proportionate share acreage on farms in any area, together with acreage prorated to the area by the ASC State Committee from unused set-asides of acreage, from other sources of unused acreage, or from any acreage made available pur-

suant to § 850.122, paragraph (b) (3) and (4), shall be distributed to farms in the State whereon additional acreage may be used.

(h) Notification of farm operators. The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103. Notice of Farm Proportionate Share-1960 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a form SU-103-A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU-103-B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) Redetermination of proportionate share. The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.122.

(j) Determination provisions prevail. The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.122.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Idaho State Committee for determining farm proportionate shares in Idaho in accordance with the determination of proportionate shares for the 1960 crop of sugar beets.

Idaho is again divided into four proportionate share areas. Informal relationships are maintained with grower and processor representatives. In establishing proportionate shares for old-producer farms, the factors of "past production" and "ability to produce" sugar beets are measured by average accredited acreages for the crop years 1956-59 in the Nyssa-Nampa and Utah-Idaho Area and 1957-59 in the Twin Falls, Burley, Rupert, and Franklin County areas, except that a more favorable formula is applied in cases involving new-producer shares in the respective base periods.

Farm shares for new-producers are established as provided in § 850.122. Eight-acre shares are determined to be minimum economic units for new-producer farms in the Nyssa-Nampa Area and five-acre shares to be minimum economic units in the other areas.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Sup. 1131, 1132)

Herbert A. Tiegs, Chairman, Agricultural Stabilization and Conservation Idaho State Committee.

SEPTEMBER 14, 1960.

Approved: September 29, 1960.

LAWRENCE MYERS,

Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60-9422; Filed, Oct. 6, 1960; 8:50 a.m.]

[Sugar Determination 850.122, as amended, Supp. 20]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Nebraska Proportionate Share Areas and Farm Proportionate Shares for 1960 Crop

Pursuant to the provisions of § 850.122 (24 F.R. 10611; 25 F.R. 3574, 4427, 7357, 8067), the Agricultural Stabilization and Conservation Nebraska State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares for the 1960 sugar beet crop from the allocation of 68.098 acres and the supplemental allocation of 1,038 acres established for Nebraska, or from any unused acreage redistributed to Nebraska. Copies of these bases and procedures are available for public inspection at the office of such Committee at Room 407, U.S. Post Office and Court House Building, Lincoln, Nebraska, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Nebraska. These bases and procedures incorporate the following:

§ 850.142 Nebraska.

(a) Proportionate share areas. Nebraska shall be divided into four proportionate share areas as served by beet sugar companies. These areas shall be designated American Crystal, Great Western, Holly, and Utah-Idaho, respec-Acreage allotments for these tively. areas shall be computed by prorating the State allocation of 68,098 acres to the areas on the basis of the 1959-crop average accredited acreage records for such acres. This results in the following area acreage allocations: American Crystal Area—6,768 acres; Great Western Area— 57,470 acres; Holly Area-519 acres; and Utah-Idaho Area—3,341 acres.

(b) Set-asides of acreage. Set-asides of acreage shall be made from each area allotment for new producers as follows: American Crystal · Area—135 acres; Great Western Area—1,150 acres; Holly Area—10 acres; and Utah-Idaho Area—67 acres. Set-asides for appeals shall be as follows: American Crystal Area—68 acres; Great Western Area—575 acres; Holly Area—5 acres; and Utah-Idaho Area—33 acres. Set-asides for adjustments in initial shares shall be as follows: American Crystal Area—152

acres; Great Western Areas—0 acres; Holly Area—0 acres; and Utah-Idaho Area—0 acres.

(c) Requests for proportionate shares. A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU-100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.122. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU-100 shall be filed by March 29, 1960. However, requests for proportionate shares may be accepted after such dates and shares may be established if the State Committee determines that in any such case the farm operator was prevented from filing a complete Form SU-100 by such dates because of absence, illness or other reason beyond his control.

(d) Establishment of individual proportionate shares for old-producer farms—(1) Farm bases—(i) American Crystal Area. If the 1960 operator of the farm in the area is a tenant having a personal accredited acreage record within such area for any of the crop years 1957 through 1959, the base shall be the larger of the result of dividing by three his total personal accredited acreage for the years 1957 through 1959, or the result of dividing by three the 1957 through 1959 accredited acreage of the farm, except that for any of the years 1957 through 1959 for which a former tenant on such farm is given credit for personal history, the accredited acreage used for the farm shall be the landowner's share of the acreage. If the 1960 operator is a tenant who operated a farm for which a new-producer share was established in 1958 or 1959, the 1960 base shall be the largest of the acreage resulting from dividing by three the total personal accredited acreage of such tenant for the years 1958 and 1959; the 1959-crop accredited acreage of the farm operated by him in 1959 but not to exceed the 1959-crop proportionate share originally established for such farm; or the landowner's share of the crops during the period 1957 through 1959 on the farm which such tenant will operate in 1960 divided by three. If the 1960 operator is the owner-operator of the farm or is a tenant without a personal accredited acreage record for the period 1957 through 1959 and the farm has an accredited acreage record during that period, the 1960 base shall be the result of dividing by three the total of the accredited acreages on the farm for the years 1957 through 1959. However, if the 1960 operator is the owner-operator of a farm for which a new producer share was established in any year subsequent to 1957, the 1960 farm base shall be the larger of the result of dividing by three the total accredited acreage record of the farm for the years 1958-59, or the 1959-crop accredited acreage of the farm but not to exceed the 1959-crop proportionate share originally established for the farm.

(ii) Great Western, Holly Areas and Utah-Idaho Areas. In these areas, the 1960 farm base shall be the result of dividing by three the total of the accred-

ited acreages on the farm for the years 1957 through 1959, except that for any farm for which a new producer share was established in any year subsequent to 1957, the base shall be the larger of the acreage resulting from dividing by three the total of the accredited acreages on the farm for the years 1958-59, or the 1959-crop accredited acreage for the farm but not to exceed the 1959-crop proportionate share originally established for the farm.

(2) Initial proportionate shares. For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section and exclusive of the supplemental State allocation of 1,038 acres. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area as follows: For farms for which requested acreages are equal to or less than the farm bases, the initial shares shall coincide with the requested acreages; and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and total of the initial shares established in accordance with the preceding part of this subparagraph. The proration factor for each area shall be as follows: American Crystal Area—1.049; Great Western Area—1.058; Holly Area-1.028; and Utah-Idaho Area-1.205.

(3) Adjustments in initial shares. Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, crop rotation, availability of irrigation water (where used), adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) Establishment of individual proportionate shares for new-producer farms. Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1960crop year by new producers (as defined in § 850.122). The State Committee has determined that a 13.7-acre share is the minimum acreage which is economically feasible to plant as a new-producer farm share in the Great Western Area and 10.0-acre share is the minimum in the other areas. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the State Committee, by taking into consideration availability and suitability of land, availability of

irrigation water, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities, shall rate each farm as provided in § 850.122 paragraph (j), and shall establish new-producer farm proportionate shares as provided therein.

(f) Adjustments under appeals. Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.122 applicable to appeals.

(g) Adjustments because of unused or unallotted acreage. Any acreage made available during the 1960-crop season by underplanting or failure to plant proportionate share acreage on farms in any county, together with acreage prorated to the county by the ASC State Committee from unused set-asides of acreage, from other sources of unused acreage, or from any acreage made available pursuant to §850.122, paragraph (b) (3) and (4), shall be distributed to farms in the State whereon additional acreage may be used.

(h) Notification of farm operators. The farm operator shall be notified concerning the proportionate share established for his farm on Form SU-103. Notice of Farm Proportionate Share-1960 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU-103-A or other similar written notice. For each tentative proportionate share which is established. the person filing the request for such share shall be notified on a Form SU-103-B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) Redetermination of proportionate share. The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.122.

(j) Determination provisions prevail. The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of \$ 850.122.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Nebraska State Committee for determining farm proportionate shares in Nebraska in accordance with the determination of proportionate shares for the 1960 crop of sugar beets, as issued by the Secretary of Agriculture.

Nebraska is again divided into four areas. Informal relationships are maintained with grower and processor groups. In establishing proportionate

shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by three year average accredited acreages for the crop years 1957-59 except that a more favorable formula is applied in cases involving new-producer shares in 1958-

Farm shares for new producers are established as provided in § 850.122.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Sup. 1131,

> LYNN A. WALLEN, Chairman, Agricultural Stabiliand Conservation zation Nebraska State Committee.

SEPTEMBER 7, 1960.

Approved: September 29, 1960.

LAWRENCE MYERS. Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60-9423; Filed, Oct. 6, 1960; 8:50 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 938—IRISH POTATOES GROWN IN RED RIVER VALLEY OF NORTH DAKOTA AND MINNESOTA

Approval of Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment, to be made effective under Marketing Agreement No. 135 and Order No. 38 (7 CFR Part 938) regulating the handling of Irish potatoes grown in certain designated counties in North Dakota and Minnesota (the counties of Pembina, Walsh, Cavalier, Towner, Grand Forks, Nelson, Steele, Traill, Cass, Richland, and Ramsey of the State of North Dakota and Kittson, Marshall, Red Lake, Pennington, Polk, Norman, Mahnomen, Wilkin, Otter Tail, Becker, and Clay of the State of Minnesota), was published in the Federal Register September 10, 1960 (25 F.R. 8746). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice afforded interested persons an opportunity to file data, views, or arguments pertaining thereto not later than 15 days after publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which proposals were adopted and submitted for approval by the Red River Valley Potato Committee, established pursuant to said marketing agreement

and order, it is hereby found and determined that:

§ 938.202 Expenses and rate of assessment.

(a) The reasonable expenses incurred by the Red River Valley Potato Committee enabling such committee to perform its functions during the fiscal period ended May 31, 1959, amounted to \$19,-126.94. Accordingly, the budget for such fiscal period is hereby amended and expenses in the amount of \$19,126.94 for such fiscal period is hereby approved.

(b) The rate of assessment for the fiscal period ended May 31, 1959, to be paid by each handler pursuant to Marketing Agreement No. 135 and Order No. 38 is hereby amended and such rate of assessment is hereby increased from \$0.00125, as approved January 29, 1959 (24 F.R. 757), to \$0.0020457 per 100 pounds of potatoes handled by him as the first handler thereof during said fiscal period.

§ 938.203 Expenses and rate of assessment.

- (a) The reasonable expenses incurred by the Red River Valley Potato Committee enabling such committee to perform its functions during the fiscal period ended May 31, 1960, amounted to \$18,947.76. Accordingly, the budget for such fiscal period is hereby amended and expenses in the amount of \$18,947.76 for such fiscal period are hereby approved.
- (b) The rate of assessment for the fiscal period ended May 31, 1960, to be paid by each handler pursuant to Marketing Agreement No. 135 and Order No. 38 is hereby amended, and such rate of assessment is hereby decreased from \$0.00183, as approved November 4, 1959 (24 F.R. 9080), to \$0.001385 per 100 pounds of potatoes handled by him as the first handler thereof during said fiscal period.

§ 938.204 Expenses and rate of assessment.

- (a) The reasonable expenses that are likely to be incurred by the Red River Valley Potato Committee, established pursuant to Marketing Agreement No. 135 and Order No. 38, to enable such committee to perform its functions pursuant to the aforesaid marketing agreement and order, during the fiscal period ending May 31, 1961, will amount to \$17,177.00.
- (b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 135 and Order No. 38 shall be \$0.00172 per 100 pounds handled by him as the first handler thereof during said fiscal period.

The terms used in §§ 938.202, 938.203, and 938.204 shall have the same meaning as when used in Marketing Agreement No. 135 and Order No. 38.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 4, 1960.

FLOYD F. HEDLUND, Director, Fruit and Deputy Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-9417; Filed, Oct. 6, 1960; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I-Agricultural Research Service, Department of Agriculture

PART 40—SPECIAL SERVICES RE-LATING TO MEAT AND OTHER PRODUCT

Miscellaneous Amendments

Under the authority of sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622 and 1624), the regulations in 9 CFR Part 40, relating to identification and certification service for meat and other products are hereby amended to provide for a wholesomeness inspection service for certain food articles and to make other incidental changes. Said regulations are amended as follows:

- 1. The part designation is changed to read as set forth above.
- 2. Section 40.2 is changed by adding new paragraph (i) to read:

§ 40.2 Definitions.

(i) Food article. Any article of human food derived wholly or in part from meat, meat byproducts or meat food products and not subject to the Federal meat inspection laws but for which the mark of Federal meat inspection is

3. Section 40.3 and § 40.4 are deleted and a new § 40.3 is added to read:

§ 40.3 Types and availability of service.

Upon application in accordance with § 40.5 the following types of service may be furnished under the regulations in this part:

- (a) Identification service. (1) Meat or other product that is federally inspected and passed at an official establishment, or upon importation, under the meat inspection laws, is officially marked to identify it as federally inspected and passed. In order to facilitate the division of such meat or other product into smaller portions or its combination into larger units and still maintain its identity as product which has been federally inspected and passed and so marked, inspectors may supervise the handling of the product and mark such portions or units with the marks of Federal inspection when they determine that the identity has been maintained.
- (2) At the time service is furnished product must be sound, wholesome and fit for human food. The service will be available only on premises other than those of an official establishment. The sanitation of the plant or area where service is furnished must comply with applicable provisions of Part 8 of this subchapter.

(3) The mark of inspection shall be applied only under the immediate supervision of an inspector.

(b) Certification service. At the re-

quest of a purchaser, supplier, exporter, or others, inspectors may make certification regarding livestock products for human food purposes (including casings), to be exported, as meeting

conditions or standards that are not imposed or are in addition to those imposed by the regulations in Parts 1 through 29 of this subchapter and the laws under which such regulations were issued.

(c) Food inspection service. An inspection and certification service for wholesomeness relating to the manufacture of a food article may be furnished upon application. All applicable provisions of this subchapter shall apply to the preparation, labeling and certification of the food article prepared under this food inspection service.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624. Interpret or apply sec. 203, 60 Stat. 1087, as amended; 7 U.S.C. 1622)

The foregoing amendments provide for certain services not heretofore available under the Agricultural Marketing Act and modify provisions for certain other services now conducted under the Act. Such services are provided only upon request of interested persons and upon a reimbursable basis, and the amendments impose no mandatory requirements upon any persons not desiring such services. The amendments should be made effective as soon as possible in order to be of maximum benefit to affected persons. Therefore under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice of rulemaking and other public procedure on the amendments are impracticable and unnecessary, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The amendments shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of October 1960.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 60-9420; Filed, Oct. 6, 1960; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C-AIRCRAFT REGULATIONS

[Reg. Docket 527; Amdt. 207]

PART 507—AIRWORTHINESS DIRECTIVES

Lockheed 18 "Learstar" Aircraft

It has been determined that excessive temperature stratification present in the existing carburetor air preheat system on Lockheed Model 18 "Learstar" airraft may permit ice to form on cold portions of the screen. This may cause the carburetor air temperature gage to give an erroneous indication of the true carburetor air temperature. Since such conditions present a hazard to safe operation of the aircraft, a restriction

against operation into known icing conditions is required until modifications to the carburetor air preheat system have been accomplished.

In the interest of safety it has been found that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than thirty days notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a), (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

LOCKHEED. Applies to all Model 18 aircraft which have been converted to the "Learstar" configuration.

Compliance required as indicated.

Flight tests have disclosed that excessive temperature stratification at the carburetor air screen exists during operation with partial carburetor air preheat. This stratification results in erroneous readings on the cockpit carburetor air temperature gage and may, under icing conditions, cause ice formation on the cold portions of the air screen and in the carburetor. While full preheat is available if needed for ice elimination, only partial preheat should be used for continuous operation under certain temperature conditions in order to avoid exceeding the engine manufacturer's carburetor air temperature limit of 38° C. The following action is required:

(a) Effective November 15, 1960, Learstar aircraft shall be restricted against operation in known icing conditions until modifications to the air preheat system covered in paragraph (b) are accomplished. The following placard shall be posted in full view of the pilot:

"Operation Into Known Icing Conditions Prohibited"

The limitations section of the FAA approved airplane flight manual is hereby amended to incorporate this limitation.

(b) The operating restriction into known icing conditions shall continue until modifications are accomplished to the carburetor air preheat system which will result in conservative C.A.T. indications for the prevention of ice formation on the carburetor screen and engine induction system at all preheat positions. Such modifications shall also permit operation with preheat under varying power and ambient temperature conditions without resulting in excessive C.A.T. A satisfactory modification to meet the requirements is covered in FAA approved PacAero Engineering Corporation Service Bulletin No. 14, dated August 26, 1960. An FAA approved airplane flight manual revision setting forth recommended procedures for safe operation of the system will be supplied by PacAero with the modification kit. Any deviations from the modifications or procedures set forth in the service bulletin and airplane flight manual revision must be approved by FAA Region Four Engineering and Manufacturing Branch, Los Angeles, California.

(c) Upon compliance with paragraph (b), the operating restriction set forth in paragraph (a) is cancelled.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C. on October 3, 1960.

OSCAR BAKKE,
Director, Bureau of
Flight Standards.

[F.R. Doc. 60-9381; Filed, Oct. 6, 1960; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C-DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Penicillin-Streptomycin (or Dihydrostreptomycin) Ointment

There was published in the FEDERAL REGISTER of August 17, 1960 (25 F.R. 7890), notice of a proposal to amend § 146a.54 for the purpose of providing for the optional use of diethylstilbestrol as an ingredient of penicillin-streptomycin (or dihydrostreptomycin) ointment when such drug is packaged and labeled solely for use as an aid in the treatment of Vibrio fetus in carrier bulls or for use in treating infection in cows when administered by the intrauterine route. No comments having been filed within the 30-day period stipulated in the above-identified notice, the amendments set out below are ordered, effective on the date of signature of this order. This action is taken pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended 63 Stat. 409; 21 U.S.C. 357), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500, 25 F.R. 5611).

Section 146a.54. Penicillin-streptomycin ointment (penicillin-streptomycin mineral oil suspension); penicillindihydrostreptomycin ointment (penicillin-dihydrostreptomycin mineral oil suspension) is amended as follows:

1. Paragraph (a) (3) is changed to read:

(0) * * *

(3) If it is intended solely for veterinary use and is conspicuously so labeled, it may contain cortisone or a suitable derivative of cortisone, a suitable and harmless salt of cobalt, one or more suitable and harmless preservatives; if it is packaged and labeled solely for udder instillations of cattle it may contain papain; and if it is packaged and labeled solely for use as an aid in the treatment of Vibrio fetus in carrier bulls, or for intrauterine infusion in cows, it may contain 20 milligrams of diethylstilbestrol per dose as recommended in its labeling.

2. Paragraph (b) is changed to read as follows:

(b) (1) In lieu of the labeling prescribed for penicillin ointment by § 146a.26(c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of each salt of penicillin per gram and the number of milligrams of streptomycin or dihydrostreptomycin per gram, and if it contains cobalt, preservatives, sulfonamides, papain, or diethylstilbestrol, the quantity of each.

RULES AND REGULATIONS

(2) In addition to the labeling prescribed by § 146a.26(c), if it is intended solely for veterinary use and it contains diethylstilbestrol, each package shall bear on its label the statement: "Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian."

Effective date. This order is effective on the date of its signature.

(Sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 357, 371)

Dated: September 30, 1960.

[SEAL] GEO. P. LARRICK, Commissioner of Food and Drugs.

[F.R. Doc. 60-9411; Filed, Oct. 6, 1960; 8:48 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 9—SAFETY AND HEALTH REG-ULATIONS FOR LONGSHORING

Persons Authorized To Certify Cargo Handling Gear

Paragraph (c) of 29 CFR 9.12 became obsolete on September 17, 1960, with the expiration of 180 days after the effective date of Part 9 of this Title 29. Confusion has attended the requirements of 29 CFR 9.12 which thereby became effective, however, because of a lack of specificity as to the persons competent to make entries in the registers and issue the certificates required by 29 CFR 9.12(a). So that this confusion may be eliminated without delay to longshoring and related operations, I find that notice and public procedure on the following . regulations clarifying this matter is impracticable and contrary to the public interest. For the same reason I find good cause to make this clarifying reg-

ulation effective on publication in the Federal Register.

Accordingly, effective on publication in the Federal Register, in accordance with authority under the Longshoremen's and Harbor Workers' Compensation Act (72 Stat. 835; 33 U.S.C. 941) paragraph (c) of 29 CFR 9.12 is amended to read as follows:

§ 9.12 Gear certification.

(c) Persons competent to make entries in the registers and issue the certificates required by paragraph (a) of this section shall be either (1) those acceptable as such to the national authority under whose jurisdiction the register and certificates are issued or, (2) those currently acceptable to the Bureau of Labor Standards, United States Department of Labor.

Signed at Washington, D.C., this 3d day of October, 1960.

JAMES T. O'CONNELL, Acting Secretary of Labor.

[F.R. Doc. 60-9389; Filed, Oct. 6, 1960; 8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D-GRANTS

PART 58—GRANTS TO SCHOOLS OF PUBLIC HEALTH FOR THE PROVI-SION OF PUBLIC HEALTH TRAIN-ING

Miscellaneous Amendments

Notice of proposed rule making, public rule making procedures and delay in effective date have been omitted in the issuance of the following revisions to this part which relates solely to grants. These revisions amend §§ 58.2, 58.4, and

58.6 so as to eliminate provisions authorizing approval of the carry over of unexpended funds into a subsequent fiscal year.

1. Section 58.2 is amended to read:

§ 58.2 Allocations, time of making and duration.

An allocation in accordance with § 58.3 shall be made prior to the beginning of each fiscal year or as soon thereafter as practicable to each school of public health eligible for assistance under section 314(c) (2) of the Act at the time the allocation is made. Funds thus allocated shall be available for expenditure during the fiscal year for which the allocation is made.

§ 58.4 [Deletion]

2. Section 58.4(d) is deleted.

§ 58.6 [Amendment]

3. Section 58.6(b) is amended to read:
(b) Subject to the foregoing limitation, payments shall be made as follows:
(1) An initial payment of not to exceed one-half of the school's allocation for the current fiscal year and (2) a second payment (or further payments, if necessary) to follow receipt of the school's request for the balance (or any part of the balance) of its allocation. The second payment will be reduced by any amount of unobligated grant funds in the accounts of the school at the beginning of the fiscal year.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 314(c)(2), 58 Stat. 694 as amended; 42 U.S.C. 246(c)(2))

Dated: September 21, 1960.

[SEAL]

JOHN D. PORTERFIELD, Acting Surgeon General.

Approved: October 3, 1960.

Bertha Adkins, Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 60-9412; Filed, Oct. 6, 1960; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Oil Import Administration
[32A CFR Ch. X 1

[Oil Import Reg. 1 (Rev. 2)]

ALLOCATIONS OF RESIDUAL FUEL OIL TO BE USED AS FUEL, DIS-TRICT I

Notice of Proposed Rule Making

This notice sets out proposed amendments to Oil Import Regulation 1 (Revision 2), 25 F.R. 4957, 6051. The proposed amendments would revise the system of allocating imports into District I of residual fuel oil to be used as fuel. District I comprises the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia.

The proposed amendments could be issued only if Presidential Proclamation 3279, as amended, were further amended and it is contemplated that an appropriate recommendation will be made to the President in this regard. The proposed amendments are designed to permit companies which are in the business of selling residual fuel oil to be used as fuel and have deep-water terminals, but which are not now entitled to allocations, to become importers. Under the proposed amendments there would not be a sharp reduction in the allocations made to established importers but there would be provision for some adjustments based on the quantities of residual fuel oil to be used as fuel handled at the deep-water terminals of the respective companies.

No change would be made in the system of allocations with respect to Districts II—IV or District V. Historically, imports into Districts II—IV of residual fuel oil to be used as fuel have been negligible and this has also been the case in District V, where the military has, in effect, been the only importer. Most of the imports of residual fuel oil have been brought into District I, where there has been a demand of considerable magnitude for that commodity and where domestic supply has not been adequate to satisfy the demand.

Interested persons may submit to the Administrator, Oil Import Administration, Department of the Interior, Washington 25, D.C., written comments, suggestions, or objections respecting the proposed amendments. Such communications must be submitted within a period of 20 calendar days following the publication of this notice in the Federal Register.

ELMER F. BENNETT, Under Secretary of the Interior. OCTOBER 6, 1960. 1. Section 3, "Allocation periods", to be amended to read as follows:

Sec. 3. Allocation periods.

Allocations of imports of crude oil, unfinished oils and finished products will be made for periods of six months—that is, July 1 through December 31; January 1 through June 30; except that the allocations of imports into District I and Districts II—IV of residual fuel oil to be used as fuel will continue to be made for quarterly periods commencing January 1, April 1, July 1, and October 1.

2. Section 4, "Eligibility for allocations", to be amended to read as follows:

Sec. 4. Eligibility for allocations.

(a) To be eligible for an allocation of imports of crude and unfinished oils in Districts I-IV or in District V, a person must (1) have refinery capacity in the respective districts and (2) in respect of an allocation for the allocation period March 11, 1959, through June 30, 1959, have had refinery inputs in the respective districts for the calendar year 1958 and (3) in respect of the allocation period July 1, 1959, through December 31, 1959, and each successive allocation period thereafter have had refinery inputs in the respective districts for the year ending three months prior to the beginning of the allocation period for which the allocation is requested. [Unchanged]

(b) To be eligible for an allocation of imports of crude oil and unfinished oils for Puerto Rico, a person must have refinery capacity in Puerto Rico and must have had refinery inputs in Puerto Rico during the months of July, August and September of the year 1958. [Unchanged]

(c) To be eligible for an allocation of imports of finished products, other than residual fuel oil to be used as fuel, in Districts I-IV or District V, a person must have imported such products into the respective districts during the calendar year 1957. [Same as present paragraph (c) (1)]

(d) To be eligible for an allocation of imports into District I of residual fuel oil to be used as fuel a person must:

(1) Have imported residual fuel oil used as fuel into District I during the calendar year 1957; or

(2) Must be in the business of selling in District I residual fuel oil to be used as fuel and have a deep-water terminal in District I under his management and operational control and have had terminal inputs into such terminal during the year ending three months prior to the beginning of the allocation period for which the allocation is requested.

(e) To be eligible for an allocation of imports into Districts II-IV or District V of residual fuel oil to be used as fuel, a person must have imported residual fuel oil used as fuel into the respective districts during the calendar year 1957.

(f) To be eligible for an allocation of imports of finished products, other than residual fuel oil used as fuel, in Puerto Rico, a person must have imported such products into Puerto Rico during the last half of the calendar year 1958. [Same as present paragraph (c) (3)]

(g) To be eligible for an allocation of imports of residual fuel oil to be used as fuel in Puerto Rico, a person must have imported residual fuel oil used as fuel into Puerto Rico during the last half of the calendar year 1958. [Same as

present paragraph (c) (4)]

(h) A person is not eligible individually for an allocation of crude oil and unfinished oils or finished products if the person is a subsidiary or affiliate owned or controlled, by reason of stock ownership or otherwise, by any other individual, corporation, firm or other business organization or legal entity. The controlling person and the subsidiary or affiliate owned or controlled will be regarded as one. Allocations will be made to the controlling person on behalf of itself and its subsidiary or affiliate but, upon request, licenses will be issued to the subsidiary or affiliate. [Same as present paragraph (d)]

3. Section 5, "Applications for allocations", to be amended so that the section as amended would read as follows:

Sec. 5. Applications for allocations.

(a) With respect to the allocation period January 1, 1960, through June 30, 1960, and each successive allocation period thereafter, an application for allocations of imports of crude oil and unfinished oils must be filed with the Administrator, in such form as he may prescribe, not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day. [Unchanged]

(b) (1) For the allocation period January 1, 1961, through March 31, 1961, an application for an allocation of imports into District I or Districts II—IV of residual fuel oil to be used as fuel must be filed not later than the day fixed by the Administrator by a notice to be published in the FEDERAL REGISTER at the

earliest date practicable.

(2) For the allocation period April 1, 1961, through June 30, 1961, and each successive allocation period thereafter an application for an allocation of imports into District I of residual fuel oil to be used as fuel must be filed with the Administrator not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day.

- (c) Each application for an allocation of imports of finshed products other than residual fuel oil to be used as fuel which was granted for the allocation period July 1, 1960, through December 31, 1960, shall be considered to be a continuing application. Each application for an allocation of imports into Districts II-IV of residual fuel oil to be used as fuel granted for the allocation period January 1, 1961, through March 31, 1961, shall be considered to be a continuing application. Each application for an allocation of imports into District V of residual fuel oil to be used as fuel granted for the allocation period January 1, 1961, through June 30, 1961, shall be considered to be a continuing application. Once a continuing application is on file an eligible applicant need not thereafter file an application and an application for a license for each allocation period will be mailed to him by the Oil Import Administration. The failure of an eligible applicant to return an application for a license will be regarded as an abandonment by the applicant of his continuing application for an allocation and no applications for licenses will thereafter be sent to him unless he files a new application for an allocation as provided in paragraph (d) of this section.
- (d) An applicant who has no continuing application on file must, in order to receive an allocation of imports of residual fuel oil to be used as fuel or an allocation of imports of other finished products, file an application for an allocation with the Administrator not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day. An application so filed by an eligible applicant will be regarded as a continuing application and subject to the provisions of paragraph (c) of this section.

Sec. 9. [Amendment]

- 4. Paragraph (b) of section 9 to be amended to read as follows:
- (b) Pursuant to paragraph (e) of section 2 of Proclamation 3279, as amended, the Secretary will make a determination as to the level of imports into District I and Districts II—IV of residual fuel oil to be used as fuel in sufficient time to permit the making of allocations at least 45 calendar days in advance of each quarterly period.
- 5. A new section entitled "Allocations of residual fuel oil to be used as fuel in District I" to be added as section 12 as follows:

Sec. 12. Allocations of residual fuel oil to be used as fuel in District I.

(a) Except as provided in paragraph (c) of this section, each person who is an eligible applicant under clause (2), paragraph (d), section 4, of this regulation shall receive an allocation of imports into District I of residual fuel oil to be used as fuel equal to a per centum of his terminal inputs for the year ending three months prior to the beginning

of the allocation period for which the allocation is requested. The per centum will be determined by dividing the quantity of residual fuel oil to be used as fuel available or allocation on the basis of terminal inputs after allocations have been made on the historical basis provided in paragraph (c) of this section by the aggregate terminal inputs of all persons who will receive allocations on the basis of inputs provided by this paragraph.

EXAMPLE: The level of imports into District I of residual fuel oil is set at 400,000 B/D for an allocation period. 350,000 B/D are allocated on the historical basis; 50,000 B/D are available for allocation on the basis of terminal inputs. Company A had terminal inputs of 5,000 average B/D during the year ending three months prior to the oncoming allocation period. The aggregate terminal inputs for the same period of all companies which will receive allocations on the basis of inputs were 250,000 B/D. Company A's allocation would be computed thus:

$$\frac{50,000~B/D}{250,000~B/D} = 20.0\%$$

20% of 5,000 B/D=1,000 B/D.

- (b) (1) An eligible applicant may count as terminal inputs any residual fuel oil to be used as fuel which, during the calendar year ending three months before the relevant allocation period, was placed for the first time in a deep-water terminal located in District I and which he owned when it was placed in the terminal. However, an eligible applicant must reduce his terminal inputs by the quantity of residual fuel oil to be used as fuel which, while owned by him was transferred during that period from a deep-water terminal in District I to another deep-water terminal in District I if upon the transfer title passed to another person who was in the business of selling such oil in District I and had a deep-water terminal in that District and the required inputs and, therefore, was an eligible applicant under clause (2), paragraph (d), section 4 of this regulation. In the latter instance, the quantity so transferred may be claimed as a terminal input by the transferee.
- (2) No residual fuel oil to be used as fuel may be counted as a terminal input when it is placed, or so long as it remains, in bonded storage at a deep-water terminal in District I. When such bonded residual fuel oil is withdrawn for consumption, it may be counted by an eligible applicant as a terminal input unless it is withdrawn for supplies for vessels pursuant to section 309 of the Tariff Act of 1930 (19 U.S.C., sec. 1309).
- (3) Terminal inputs may be computed only as provided by this paragraph.

EXAMPLES: All transactions described below involved residual fuel oil to be used as fuel and occurred during a period January 1 through December 31 preceding an allocation period beginning on April 1 following.

(1) Company A unloaded into its No. 1

(1) Company A unloaded into its No. 1 deep-water terminal in District I tanker cargoes of imported residual fuel oil and cargoes of residual fuel oil produced on the Gulf Coast and in Puerto Rico. Company A also delivered by pipeline domestic residual fuel oil from its refinery to that terminal. Company A had title to the residual fuel oil in these instances and may count the quantities as terminal inputs.

- (2) Company A transferred residual fuel oil from its No. 1 deep-water terminal to its No. 2 deep-water terminal located elsewhere in District I. Title remained in Company A. The quantity transferred may not be counted as an additional terminal input.
- (3) Company A also transferred residual fuel oil from its No. 3 deep-water terminal at a third location in District I to a deep-water terminal owned by Company X in District I. Title passed to Company B, which is otherwise eligible for an allocation on the basis of terminal inputs. Company B may count the quantity as a terminal input and Company A must reduce its terminal inputs by that amount. Company X may not count the quantity transferred as a terminal input, since Company X did not take title to the oil transferred.
- (4) Company A also transferred residual fuel oil from its No. 3 deep-water terminal to a deep-water terminal in District I operated by the Department of the Navy, title passing to the Government. Company A made a similar transfer to Company X's deep-water terminal, title passing to Company C, which is eligible for an allocation only on the basis of its imports during the year 1957; because it has no deep-water terminal in District I. Company A need not reduce its terminal inputs by the quantities so transferred to the Navy or to Company C, since neither customer is eligible for an allocation on the basis of terminal inputs and, therefore, cannot claim terminal inputs by reason of the trans-fers. Company X may not count as a terminal input the quantity transferred for the account of Company C, because Company X did not take title to the oil transferred.
- (5) Company A placed 500,000 barrels of imported residual fuel oil in bonded storage at its deep-water terminals in District I. 200,000 barrels were withdrawn for sale within District I. 300,000 barrels were withdrawn pursuant to section 309 of the Tariff Act of, 1930 for ships' bunkers. Company A may count 200,000 barrels as terminal inputs.
- (c) Notwithstanding the provisions of paragraph (a) of this section, if an applicant imported into District I residual fuel oil used as fuel during the calendar year 1957, he shall be entitled to an allocation of imports into District I of residual fuel oil to be used as fuel equal to 85 percent of the ratio that the applicant's imports into District I of residual fuel oil used as fuel in the calendar year 1957 bore to all such imports into District I during that year multiplied by the total amount of imports into District I of residual fuel oil to be used as fuel available for allocation in the particular allocation period.

EXAMPLE: The level of imports into District I of residual fuel oil is set at 400,000 B/D for an allocation period. Company B imported 5,000 B/D of residual fuel oil into District I during the calendar year 1957. All such imports into District I during that period amounted to 340,000 B/D. Company B's allocation would be computed thus:

$$85\% \times \left(\frac{5,000 \text{ B/D}}{340,000 \text{ B/D}}\right)$$

× (400,000 B/D=5,000 B/D

unless Company B would receive a larger allocation on the basis of terminal inputs.

(d) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred. All residual fuel oil to be used as fuel which is imported into District I under an allocation made pursuant to this section shall be sold only in District I for use in that District.

6. Section 13 "Allocations of finished products, Districts I-IV, District V" to be amended to read as follows:

Sec. 13. Allocations of finished products, Districts I-IV, District V.

- (a) Except as provided in section 12 of this regulation, the quantity of imports of finished products determined to be available for allocation in Districts I-IV and in District V for any particular allocation period shall be allocated by the Administrator to each eligible applicant in the proportion that the applicant's imports of finished, products during the calendar year 1957 bore to the imports of such products during that year by all eligible applicants. Separate allocations shall be made for imports of residual fuel oil to be used as fuel and for imports of finished products other than residual fuel oil to be used as fuel.
- (b) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 22. [Amendment]

- 7. Section 22 "Definitions" to be amended to: (1) Add a new paragraph (b) defining "District I"; (2) redesignate present paragraph (b) "Districts I-IV" as paragraph (c); (3) add a new paragraph (d) defining "Districts II-IV"; (4) redesignate present paragraph (c) "District V" as paragraph (e) and the succeeding paragraphs (d) through (j) accordingly; and (5) add a new paragraph (m) defining "deep-water terminal". The new paragraphs to read as follows:
- (b) "District I" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia.
- (d) "Districts II-IV" means all of the States of the United States except those States within District I and District V.
- (m) "Deep-water terminal" means an installation which consists of bulk storage tanks, pumps, and pipelines suitable for the storage, transfer, and handling of residual fuel oil and which is adjacent to navigable waterways and to a ship's berth that permits residual fuel oil to be delivered into the installation by direct connection from a tanker drawing at least 30 feet of water while the tanker is moored in the berth at low tide.

[F.R. Doc. 60-9497; Filed, Oct. 6, 1960; 11:35 a.m.]

Bureau of Land Management [43 CFR Parts 191, 192]

GENERAL REGULATIONS APPLICABLE TO MINERAL PERMITS, LEASES, AND LICENSES; OIL AND GAS LEASES

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior

by the Act of February 25, 1920 (41 Stat. 437) as amended by the Act of September 2, 1960 (74 Stat. 781) and section 2470 of the Revised Statutes (43 U.S.C. 1201), it is proposed to amend 43 CFR Parts 191 and 192 as set forth below. The purpose of these amendments is to implement the provisions of the Mineral Leasing Act Revision of 1960, enacted September 2, 1960, Public Law 86-705 (74 Stat. 781).

It is the policy of the Department of the Interior wherever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington 25, D.C., within thirty days of the date of publication of this notice in the Federal Register.

1. Section 191.15 of Title 43, Code of Federal Regulations is amended and a new § 191.16 is added to read as follows:

§ 191.15 Bona fide purchasers of leases and interests subject to cancellation or forfeiture.

(a) The Act of September 21, 1959 (73 Stat. 571), as amended by the Act of September 2, 1960 (74 Stat. 781; Public Law 86-705) provides that the right to cancel or forfeit for violation of any of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser of any lease, option to acquire a lease or an interest therein, or permit which lease, interest, option, or permit was acquired and is held by a qualified person, association, or corporation in conformity with those provisions, even though the holdings of the person, association, or corporation from which the lease, interest, option, or permit was acquired, or of his predecessor in title (including the original lessee of the United States) may have been cancelled or forfeited or may be or may have been subject to cancellation or forfeiture for any such violation.

(b) If in any proceeding to cancel or forfeit a lease, interest in a lease, option to acquire a lease or an interest therein, or a permit acquired in violation of any of the provisions of this Act, an underlying lease, interest, option, or permit is cancelled or forfeited to the Government and there are valid interests therein or valid options to acquire the lease or an interest therein which are not subject to cancellation, forfeiture, or compulsory disposition, such underlying lease, interest, option, or permit shall be sold to the highest responsible, qualified bidder by competitive bidding in a manner similar to that provided for in the offering of leases by competitive bidding subject to all outstanding valid interests therein and valid options pertaining thereto. However, if less than the whole interest in the lease, interest, option, or permit is cancelled or forfeited, such partial interests shall likewise be sold in similar manner. If no satisfactory offer is obtained as a result of the competitive offering of such whole or partial interests, such interests may be sold by such other

method as the authorized officer deems appropriate, but for not less than those of the best competitive bids received.

- (c) The commencement and conclusion of all such proceedings shall be noted upon the official records relating to the particular lease or option or other interest involved.
- (d) Effective as of September 21, 1959, any party to any proceeding with respect to a violation of any provision of the Act, whether initiated prior or subsequent to that date, has the right to be dismissed promptly as such a party by showing that he holds and acquired the interest involving him as a bona fide purchaser without having violated any provisions of the Act. No hearing shall be necessary upon such showing unless prima facie evidence is presented to indicate a possible violation on the part of the alleged bona fide purchaser.

(e) If during any such proceeding a party thereto files a waiver of his rights under the lease to drill or to assign his interest thereto, or if such rights are suspended by order of the Secretary pending a decision, payment of rentals and the running of time against the term of the lease or interest involved shall be suspended as of the first day of the month following the filing of the waiver or the Secretary's suspension until the first day of the month following the final decision in the proceeding or the revocation of the waiver for suspension.

(f) If no action contesting a decision of the Secretary involving any oil and gas lease is commenced within 90 days after decision of the Secretary or if the Secretary's decision is rendered prior to the Act of September 2, 1960, within 90 days after that Act the Secretary's decision shall be final and conclusive of the rights of the parties.

§ 191.16 Oil and gas leases involved in proceedings under the Multiple Mineral Development Act of August 13, 1954.

If any oil and gas lease issued under Section 17 of the Mineral Leasing Act, as amended (30 U.S.C. sec. 226) includes an area with respect to which a verified statement is filed by a mining claimant under section 7(c) of the Multiple Mineral Development Act of 1954 (68 Stat. 708) as amended, asserting the existence of a conflicting unpatented mining claim or claims upon which diligent work is being prosecuted the running of time under such lease shall be suspended as to the lands involved from the first day of the month following the filing of such verified statement until a final decision is rendered in the matter.

2. The section heading and paragraphs (a), (b), (d), and (e) of § 192.3, are amended to read as follows:

§ 192.3 Acreage limitations on leases and options.

(a) No person, association, or corporation shall take hold, own, or control at one time oil and gas leases (including options for such leases or interests therein) whether directly through the ownership of leases or interests in leases and applications, or offers therefor or indirectly as a member of an association

or associations, or as a stockholder of a corporation or corporations, holding leases or interests therein and applications or offers therefor more than 246,080 acres in any one State (except Alaska) of which no more than 200,000 acres may be held under option. In the State of Alaska the acreage limitation is 300,000 acres in the northern leasing district and 300,000 acres in the southern leasing district, of which no more than 200,000 acres may be held under option in each of the two leasing districts.

(1) The boundary between the two leasing districts in the State of Alaska is the left limit of the Tanana River from the boundary between the United States and Canada to the confluence of the Tanana River and Yukon River, and the left limit of the Yukon River from said confluence to its principal southern mouth.

(2) Leases or offers or applications for leases subject to an operating, drilling, or development contract approved by the Secretary of the Interior pursuant to section 17(b) of the act, other than communitization agreements, shall be excepted in determining the accountable acreage of the lessees or operators.

(3) Where, as the result of the termination or contraction of a unit or cooperative plan, or the elimination of a lease from operating, drilling, or development plan, a party holds or controls excess accountable acreage, such party shall have 30 days from such termination or contraction or elimination in which to reduce his holdings to the prescribed limitation and to file proof of such reduction in the proper land office.

(b) In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease shall be such party's proportionate part of the total lease acreage. Likewise, the accountable acreage of a party owning an interest in a corporation or association shall be his proportionate part of the corporation's or association's accountable acreage except that no person shall be charged with his pro rata share of any acreage holdings of any association or corporation unless he is the beneficial owner of more than ten per centum of the stock or other instruments of ownership or control of such association or corporation. An option held by a corporation or an association on September 2, 1960 shall not, for a period of 3 years, be charged to any stockholder of the corporation or member of the association so long as it is so held. Parties owning a royalty or other interest determined by or payable out of a percentage of production from a lease will be charged with a similar percentage of the total lease acreage.

(d) At any time upon request by the authorized officer of the Bureau of Land Management, the record title holder of any lease or a lease operator or a lease offeror or the holder of any lease option may be required to file in the appropriate land office a statement, showing as of a specified date the serial number and the date of each lease of which he is the record holder, or under which he holds operating rights, or for which he holds

an option, and each application or offer for lease held or filed by him in the particular State setting forth the acreage covered thereby, and the nature, extent and acreage interest, including royalty interests held by him in any oil and gas lease of which the reporting party is not the lessee of record, whether by corporate stock ownership, interest in unincorporated associations and partnerships, or in any other manner.

(e)(1) If any person holding or controlling only leases or interests in leases or options or interests in options is found to hold accountable acreage in violation of the provisions of this section and of the act, the last lease or leases or interest or interests acquired by him which with the options or interests in options created the excess acreage holding shall be cancelled or ferfeited in their entirety, even though only part of the acreage in the lease or interest constitutes excess holdings, unless it can be shown to the satisfaction of the Director of the Bureau of Land Management that the holding or control of the excess acreage is not the result of negligence or willful intent in which event the lease or leases shall be cancelled only to the extent of the excess acreage.

(2) If any person holding or controlling leases or interests in leases only, or applications or offers for leases only, or both leases or interest in leases and applications or offers or options or interests in options below the acreage limitation provided in this section, files an application or offer, or a group of applications or offers (filed simultaneously), or options or interests in options or group thereof which causes him to exceed the acreage limitation, the application or offer, or group of applications or offers, causing the excess holding, will be rejected in its entirety.

(3) If any person holding or controlling both leases or interests in leases and applications or offers for leases, or options or interests in options or only applications or offers for leases below the acreage limitation provided in this section, acquires a lease or leases, or an option or options or interests therein. which cause him to exceed the acreage limitation, his most recently filed application or offer for lease or applications or offers for lease then containing acreage in excess of the limitation provided in this section will be rejected in its or their entirety. For the purpose of this subparagraph, time of filing shall be determined by the time of filing marked on the application or offer or, if the same time is marked on two or more applications or offers, by the serial number of the applications or offers.

(4) The provisions of this paragraph shall not limit any action which the Department may take with respect to excess acreage holdings in cases not otherwise covered by this paragraph.

3. The section heading and paragraphs (a), (b) and (e) are amended to read as follows:

§ 192.4 Options.

(a) No option to acquire any interest in an oil and gas lease shall be enforce-

able if entered into for a period of more than three years (inclusive of any renewal period, if provided for in the option) without the prior approval of the Secretary. The acreage to which the option is applicable shall be charged both to the optionor and to the optionee, but the charge to the optionor shall cease when the option is exercised. If the option covers only a part of the optionor's interest in the acreage included in a lease, the acreage to which the option is applicable shall be fully charged to the optionor, and a share thereof shall also be charged to the optionee as his interest may appear. Upon the exercise of the option, the acreage shall be charged to the parties pro rata as their interests may appear. An unexercised option remains charged during its term until notice of its relinquishment or surrender has been filed by either party in the appropriate Land Office.

(1) No option or renewal thereof shall be enforceable until notice thereof has been filed in the appropriate Land Office. Such notice shall contain the same information required to be submitted with the semi-annual option statements as set out in paragraph (e) of this section, and a statement of the interests and obligations of the parties thereto, and shall be subscribed by all parties to the option or their duly authorized agents.

(b) An option hereafter taken on a lease application or offer may be for the period of time until issuance of the lease and three years thereafter. Where it is sought to obtain options for periods in excess of those provided in the preceding sentence, an application should be filed with the Director, Bureau of Land Management, accompanied by a complete showing as to the special or unusual circumstances which are believed to justify approval of the application by the Secretary.

(e) Each optionee must file in the appropriate land office within 90 days after June 30 and December 31 of each year duplicate statements showing as of the prior June 30 and December 31, respectively (1) his name and the name and address of each grantor of an option held by him, the serial number of every lease, application or offer for lease subject to option: (2) date and expiration date of each option; (3) number of acres covered by each option, and (4) aggregate number of options held in each. State, and total acreage thereof and his interest and obligation under each such option. Option statements covering lands in the State of California shall be filed in the land office at Sacramento, California, and statements covering lands in Alaska shall be filed in the land office at Anchorage, Alaska. The failure of the holder of an option to file such statement shall render the option unenforceable by him, but this shall not diminish the acreage deemed to be held under option by the optionee in computing the amount chargeable under § 192.3 and shall not relieve any party thereto of any liability to cancellation, forfeiture, forced disposition, or other sanction provided by law.

4. Section 192.40 is amended to read as follows:

§ 192.40 Classes and term.

- (a) All lands subject to disposition under the act which are known or believed to contain oil or gas may be leased by the Secretary of the Interior. When within the known geologic structure of a producing oil or gas field, such land may be leased only by competitive bidding and in units of not exceeding 640 acres to the highest responsible qualified bidder at a royalty of not less than 121/2 percent. Leases for not to exceed 2,560 acres, except where the rule of approximation applies, entirely within an area of six miles square or within an area not exceeding six surveyed sections in length or width, may be issued for all other land subject to the act to the first qualified offeror at a royalty of 12½ percent.
- (b) All competitive leases shall be for a primary term of five years, and noncompetitive leases for a term of ten years and so long thereafter as oil or gas is produced in paying quantities.
- 5. Subparagraphs (3)(ii) and (4) of paragraph (e) of § 192.42 are amended to read as follows:
- § 192.42 Offer to lease, and issuance of lease.

(e) * * *.

- (3) (ii) If such offeror is an individual, a statement over the offeror's signature setting forth the offeror's citizenship and whether the offeror's direct and indirect interests in oil and gas leases, applications, and offers therefor and options exceed 246,080 acres in the same State of which no more than 200,000 acres are under option, or exceed 300,000 acres in each of the northern and southern leasing districts of Alaska, of which no more than 200,000 acres are held under option in each of said leasing districts.
- * (4) If the offer is signed by an attorney in fact or agent, or if an attorney in fact or agent has been authorized to act on behalf of the offeror with respect to the offer or lease, separate statements over the signatures of the attorney in fact or agent and the offeror stating whether or not there is any agreement or understanding between them, or with any other person, either verbal or written by which the attorney in fact or agent or such other person has received, or is to receive, any interest in the lease when issued, including royalty interest or interest in an operating agreement under the lease giving full details of the agreement or understanding, if it is a verbal one; the statement must be accompanied by a copy of any such written agreement or understanding; and if such an agreement or understanding exists, the statement of the attorney in fact or agent should set forth the citizenship of the attorney in fact or the agent or other person and whether his direct and indirect interests in oil and gas leases, applications, and offers therefor exceeds the chargeable acreage as set forth in subparagraph (3) (ii) of paragraph (e) of this section. This requirement does not apply in cases in

which the attorney in fact or agent is a member of an unincorporated association (including a partnership) or is an officer of a corporation and has an interest in the offer or the lease to be issued solely by reason of the fact that he is a member of the association or a stockholder in the corporation.

6. Paragraph (a) and paragraphs (b) (1) to (3) of § 192.80 are amended to read as follows:

§ 192.80 Rentals.

Rentals shall be payable in advance at the following rates:

- (a) On noncompetitive leases issued under section 17 of the act wholly outside of the known geologic structure of a producing oil and gas field:
- (1) For the first five lease years an annual rental of 50 cents per acre or fraction thereof.
- (2) For the sixth and each succeeding lease year an annual rental of \$1.00 per acre or fraction thereof.
- (b) On leases wholly or partly within the known geologic structure of a producing oil and gas field:
- (1) If issued noncompetitively under section 17 of the act, and not committed to a cooperative or unit plan that contains a general provision for allocation of production, beginning with the first lease year after the expiration of thirty days notice to the lessee that all or part of the land is included in such a structure and for each year thereafter, prior to a discovery of oil or gas on the leased lands, rental of \$2.00 per acre or fraction thereof.
- (2) If issued noncompetitively under section 17 of the act, and committed to an approved cooperative or unit plan which includes a well capable of producing oil or gas and contains a general provision for allocation of production, the rental prescribed for the respective lease years in paragraph (a) of this section shall apply to the acreage not within a participating area.
- (3) If issued competitively, an annual rental, prior to a discovery on the leased lands, of \$2.00 per acre or fraction thereof, unless a different rate of rental is prescribed in the lease.
- 7. Paragraph (a)(1) of § 192.82 is amended to read as follows:

§ 192.82 Royalty on production.

- (a) On and after August 8, 1946, the following royalty rates shall be paid on the production removed or sold from leases:
- (1) 12½ percent royalty on noncompetitive leases issued under section 17 of the act.
- 8. Paragraph (a) of § 192.120 is amended to read as follows:

§ 192.120 Single extension of a noncompetitive lease.

(a) Under the conditions set out in the following paragraphs of this section, the record title holder of any noncompetitive lease maintained in accordance with the statutory requirements and the regulations in this part which issued prior to September 2, 1960, shall be entitled to a single extension of the lease

at the expiration of the initial five-year term unless then otherwise provided by law. An application for such extension may be filed by the record title holder of the lease, by an assignee whose assignment has been filed for approval, or by an operator whose operating agreement has been filed for approval.

- 9. Part 192 is amended by including a new § 192.120a to read as follows:
- § 192.120a Continuation of lease as a result of actual drilling operations commenced prior to, and continuing at the end of the term.

Any leasehold on which, or for which actual drilling operations were commenced under an approved cooperative or unit plan of development or operation, prior to the end of its primary term, and are being diligently prosecuted at that time, shall continue in effect for two years and so long thereafter as oil or gas is produced in paying quantities.

10. Paragraph (b) of § 192.144 is amended, and a new paragraph (c) is added thereto to read as follows:

§ 192.144 Extension of leases segregated by assignment.

(b) Undeveloped parts of leases assigned out of leases which are in their extended term under any provision of the act shall continue in effect for two years, and so long thereafter as oil or gas is produced in paying quantities, provided the parent lease was issued prior to September 2, 1960.

(c) Undeveloped parts of leases assigned out of leases which are extended by production, actual or suspended, or the payment of compensatory royalty shall continue in effect for two years and so long thereafter as oil or gas is produced in paying quantities.

ELMER F. BENNETT, Under Secretary of the Interior.

OCTOBER 4, 1960.

[F.R. Doc. 60-9450; Filed, Oct. 6, 1960; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDU-CATION. AND WELFARE

Food and Drug Administration
-[21 CFR Parts 1, 130]

ENFORCEMENT REGULATIONS DRUGS AND DEVICES, NEW DRUGS

Extension of Time for Filing Views and Comments

A request has been received from the American Medical Association for a 3-month extension of time for filing views and comments upon certain portions of the proposal to amend the regulations in Parts 1 and 130 covering the labeling requirements of drugs, devices, and new drugs which was published in the FEDERAL REGISTER of July 22, 1960 (25 F.R. 6985). Other requests were received for shorter extensions of time.

Good cause therefor appearing, the time for filing views and comments in the above-referenced matter is extended to December 22, 1960 as applied to the proposals dealing with the requirement that each dispensing package, including samples, contain an insert which provides certain information.

Decisions will be made on the facts and comments already received as far as the other proposals are concerned.

Dated: September 30, 1960.

GEO. P. LARRICK. [SEAL] Commissioner of Food and Drugs.

[F.R. Doc. 60-9410; Filed, Oct. 6, 1960; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Regulatory Docket 526]

AIRWORTHINESS DIRECTIVES

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include a new airworthiness directive for certain Cessna 150 aircraft superseding Amendment 83, 25 F.R. 377. The cabin air heater mufflers required by Amendment 83 have been found unsatisfactory due to cracks developing where the tail pipe is welded to the upper muf-

fler skin. To correct the muffler deficiencies, the manufacturer has redesigned the muffler assembly. Accordingly, the proposed directive will require installation and inspection of the improved muffler.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before November 8, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the

Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) (14 CFR Part 507), by adding the following:

Applies to all Model 150 airplanes. Compliance with paragraph (a) required within 10 hours of flight time after the effective date of the adopted rule.

Compliance with paragraph (b) required as indicated.

Hazardous failures of the right-hand exhaust gas cabin air heat muffler have oc-curred in service. These failures are such that carbon monoxide from the exhaust gases will be released into the cabin.

To improve the safety level of the cabin air heater, the following must be accom-

plished:

- (a) Inspect the right-hand exhaust gas cabin air heat muffler to determine the muffler configuration as follows, unless already accomplished: (Airplanes with Serial Numbers 17,704, 17,717, 17,771, 17,779, 17,828, 17,839, 17,846, 17,850, 17,853, 17,855, and higher had the configuration No. 4 muffler installed when the airplanes left the manufacturer's plant)
- (1) Remove the right-hand muffler from the engine.

(2) Determine the configuration of the right-hand mufflers installed on the affected

Model 150 airplanes as follows:

- (i) Configuration No. 1: This muffler is identified by the two half-moon welds which run parallel to the length of and near the top of the muffler where the exhaust tube attaches. The exhaust tube is butted against the upper skin and welded on the inside, which appears similar to a light weld on the outside.
- (ii) Configuration No. 2: The exhaust tube penetrates the upper skin of the muffler and is welded by two small welds which are crosswise to the length of the muffler.
- (iii) Configuration No. 3: The muffler skin is slotted to allow the exhaust tube to project through the top skin. This area is then welded from the outside, which produces two heavy half-moon exposed welds which run parallel to the length of the muffler.
- (iv) Configuration No. 4: This muffler is identified by the exhaust tube projecting completely through the upper skin of the muffler. This tube is welded to the upper muffler skin forming an outside weld bead extending completely around the exhaust tube. A cap is also welded to the top of the exhaust tube. This muffler is also identified [F.R. Doc. 60-9380; Filed, Oct. 6, 1960; as Cessna P/N 0450338-62.

- (3) Replace all Configuration No. 1 righthand mufflers with Configuration No. 4, Cess-
- na P/N 0450338-62 muffler.
 (4) Visually inspect all Configuration Nos. 2 and 3 right-hand mufflers. During inspection particular attention should be paid to the area at the top of the muffler where the exhaust tube is welded, for evidence of cracking such as discoloration of the stationary shroud, lead deposits, and visual cracks. (Note: Since the area under the stationary shroud is difficult to inspect, it is recommended that a pressure test of 11/2 p.s.i. be con-

ducted to detect any possible leakage.)
(5) Replace any cracked Configuration
Nos. 2 and 3 muffler with Cessna P/N 0450338-62 muffler.

(b) The following inspections shall be conducted on all right-hand mufflers installed in Model 150 aircraft, at the times

(1) Inspect all Configuration No. 4 righthand mufflers as outlined under (a) (1) and (a) (4) or the alternate inspection method described below, one hundred flight hours after initial installation and every one hundred flight hours thereafter. Replace any cracked mufflers.

(2) The removal and inspection outlined under (a) (1) and (a) (4), and the replacement of (a) (5) if applicable shall be repeated for Configuration 2 and 3 right-hand mufflers every fifty flight hours for the first two hundred flight hours after initial inspection, and every one hundred flight hours thereafter. An alternate method of inspection as described below may be used for these inspections.

An alternate method of inspection in lieu of the inspection required under (b)(1), and (b) (2) may be accomplished by a ground test using a carbon monoxide indicator. The airplane shall be headed into the wind and the engine warmed up on the ground. Advance throttle to full static r.p.m. with the cabin heater "ON". With a dependable carbon monoxide indicator, take carbon monoxide readings of the heated air stream at the cabin heater deflector (Part No. 0411824) on the firewall inside the cabin. Take another reading in free air 15 feet in front of the propeller. If carbon monoxide in the cockpit. is greater than in the free air, conduct a pressure test of 1½ p.s.i. on the muffler. If no cracks are found, the muffler may be reinstalled. If the muffler is found to be cracked. it shall be replaced.

(Cessna Service Letter No. 150-15 dated . March 28, 1960, pertains to this subject.)

This supersedes Amendment 83, 25 F.R. 377.

Issued in Washington, D.C., on September 30, 1960.

> GEORGE C. PRILL. Acting Director, Bureau of Flight Standards.

8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property
SETTIMO PAOLETTI ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Settimo Paoletti, Lammari, Italy; \$71.94 in the Treasury of the United States.

Guido Paoletti, Lammari, Italy; \$71.94 in the Treasury of the United States.

Guiseppe Paoletti, Lammari, Italy; \$71.94 in the Treasury of the United States.
Paolino Paoletti, Lammari, Italy; \$71.94

Paolino Paoletti, Lammari, Italy; \$71.94 in the Treasury of the United States.
Claim No. 63874. Vesting Order No. 1929.

Executed at Washington, D.C., on September 28, 1960.

For the Attorney General.

[SEAL]

Paul V. Myron,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-9416; Filed, Oct. 6, 1960; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management [81949]

MICHIGAN

Filing of Plat of Survey and Order Providing for Opening of Public Lands

OCTOBER 3, 1960.

The Plat of Survey of the land described below will be officially filed in the Eastern States Land Office, effective 10:00 a.m. on November 18, 1960.

MICHIGAN MERIDIAN

T. 7 N., R. 11 W., Sec. 5, lot 1 (island); Containing 0.18 acre

The survey represented by the platewas made to meet with administrative needs following correspondence with interested parties as to the presence and/or availability of apparent unsurveyed islands as public lands.

As determined from its examination by the Surveyor, the island is of sandy, gravelly and marrowed loam formation reaching 1.6 ft. above the level of Lamberton Lake. There is no timber on the island but there is a growth of brush and one elm tree on it. There are no improvements on the island which is stated

to have been in existence in 1831, the date of the original survey, and in 1837 when Michigan gained statehood and all subsequent dates, and therefore has the status of public land. It is classified as upland in character, although it is a spongy marrowed formation.

Upon the effective date hereof, the land recited herein will become subject to the operation of/and disposition un-

der the public land laws.

No application may be allowed for the land under the homestead or small tract or any of the other non-mineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any such application that is filed will be considered on its merit. The land will not be subject to occupancy or disposition until it has been classified.

Applications and selections under the non-mineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

1. Applications by persons having prior, valid, existing and maintained settlement rights; preference rights conferred by existing laws; or equitable claims subject to allowance and confirmation, will be adjudicated on the facts presented in support thereof. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

2. All valid applications and selections under the non-mineral public land laws, other than those coming under paragraph (1) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a.m. November 18, 1960, will be considered filed simultaneously at that hour. Rights under such applications and selections filed after that hour and date will be governed by the time of filing.

All inquiries relating to the lands should be directed to the Manager, Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

H. K. Scholl, Manager.

[F.R. Doc. 60-9388; Filed, Oct. 6, 1960; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service
ORGANIZATION, FUNCTIONS, AND
AUTHORITIES

The Statement of Organization, Functions and Authorities of the Agricultural

Research Service, published in 22 F.R. 2679 on April 17, 1957, as amended, is hereby further amended by changing section Π , A, 3 to read as follows:

3. The research, investigations, inspections, experimentations, demonstrations, development work, service and regulatory work, and control and eradication of insects, plant and animal pests and diseases provided for under the heading "Agricultural Research Administration" in the Department of Agriculture Appropriation Act of 1954 (except forest pests and diseases, and research on off-farm handling, transportation and storage of agricultural products, including investigations of insect infestations of off-farm stored products); and the following services conducted under sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622 and 1624): inspection and certification, and standardization incidental thereto, of food for dogs, cats and other carnivora, of animal byproducts not capable of use as human food, and of human food articles derived wholly or in part from meat, meat byproducts or meat food products and not subject to the Federal meat inspection laws but for which the mark of Federal meat inspection is requested, identification service for federally inspected meat, meat byproducts and meat food products, and certification service for livestock products for export for human food purposes.

This document shall become effective upon issuance.

Done at Washington, D.C., this 3d day of October 1960.

M. R. CLARKSON, Acting Administrator, Agricultural Research Service.

[F.R. Doc. 60-9419; Filed, Oct. 6, 1960; 8:50 a.m.]

Office of the Secretary

STATEMENT OF ORGANIZATION; AGRICULTURAL RESEARCH SERV-ICE

Assignment of Additional Functions

Pursuant to the authority vested in the Secretary of Agriculture by section 161, Revised Statutes (5 U.S.C. 22) and Reorganization Plan No. 2 of 1953, section 200 of the statement of delegations of authority and assignment of functions of the Department of Agriculture (19 F.R. 74), as amended, is hereby further amended by changing paragraph "c" thereof to read as follows:

c. The research, investigations, inspections, experimentations, demonstrations, development work, service and regulatory work, and control and eradication of insects, plant and animal pests and diseases provided for under the heading "Agricultural Research Administration"

9652

NOTICES

in the Department of Agriculture Appropriation Act of 1954 (except forest pests and diseases, and research on off-farm handling, transportation and storage of agricultural products, including investigations of insect infestations of off-farm stored products); and the following services conducted under sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622 and 1624): inspection and certification, and standardization incidental thereto, of food for dogs, cats and other carnivora, of animal byproducts not capable of use as human food, and of human food articles derived wholly or in part from meat, meat byproducts or meat food products and not subject to the Federal meat inspection laws but for which the mark of Federal meat inspection is requested, identification service for federally inspected meat, meat byproducts and meat food products, and certification service for livestock products for export for human food purposes.

Purposes of this amendment are to assign to the Agricultural Research Service authority for the wholesomeness inspection and certification upon request (and any incidental standardization) of certain human food articles not subject to the Federal meat inspection laws, pursuant to sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended. It also formalizes assignment of authority heretofore made under said sections for the certification of livestock products for human food purposes, to be exported, as meeting conditions or standards not imposed or in addition to those imposed by the meat inspection regulations in 9 CFR Parts 1 through 29.

This amendment shall become effective upon issuance.

Done at Washington, D.C., this 3d day of October 1960.

TRUE **D**. Morse, Acting Secretary of Agriculture.

[F.R. Doc. 60-9418; Filed, Oct. 6, 1960; 8:49 a.m.]

TEXAS

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Texas a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS

Cameron. Hidalgo. Starr. Willacy.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 4th day of October 1960.

TRUE D. MORSE, Acting Secretary.

[F.R. Doc. 60-9424; Filed, Oct. 6, 1960; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-142]

REGENTS OF THE UNIVERSITY OF CALIFORNIA

Notice of Issuance of License

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on September 13, 1960, the Atomic Energy Commission has issued Facility License No. R-71 to The Regents of The University of California authorizing operation of an Argonaut-type nuclear reactor at power levels up to 10 watts (thermal) on the University's campus in Los Angeles, California. Notice of the proposed action was published in the Federal Register on September 14, 1960, 25 F.R. 8834.

For the Atomic Energy Commission.

Dated at Germantown, Md., this 3d day of October 1960.

R. L. Kirk,
Deputy Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-9379; Filed, Oct. 6, 1960; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDU-CATION. AND WELFARE

Social Security Administration IRAN AND PORTUGAL

Findings Regarding Foreign Social Insurance and Pension Systems

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence presented by Iran and Portugal, respectively, relating to the social insurance or pension systems of such countries, from which evidence it appears that:

1. Iran has a social insurance or pension system in effect which pays periodic benefits or the actuarial equivalent thereof, on account of old age, retirement or death, but that under such social insurance or pension system citizens of the United States, not citizens of Iran, who leave Iran, are not permitted to receive such benefits or equivalent while outside that country.

2. Portugal has a social insurance or pension system in effect which pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement or death, but that under such social insurance or pension system, qualified citizens of the United States, not citizens of Portugal, who leave Portugal, are not permitted to receive such benefits or equivalent while outside that country.

Accordingly, it is hereby determined and found that Iran and Portugal do not have in effect a social insurance or pension system which meets the requirements of section 202(t) (2) of the Social Security Act (42 U.S.C. 402(t) (2)).

[SEAL] W. L. MITCHELL, Commissioner of Social Security.

SEPTEMBER 28, 1960.

Approved: October 3, 1960.

BERTHA ADKINS, Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 60-9413; Filed, Oct. 6, 1960; 8:49 a.m.]

LUXEMBOURG

Finding Regarding Foreign Social Insurance and Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence relating to the social insurance or pension system of Luxembourg, from which evidence it appears that Luxembourg has a social insurance or pension system of general application which pays periodic benefits or the actuarial equivalent thereof, on account of old age, retirement or death, but that citizens of the United States, not citizens of Luxembourg, are not permitted to receive such benefits or equivalent without qualification or restriction while outside that country.

Accordingly, it is hereby determined and found that Luxembourg does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

[SEAL] W. L. MITCHELL, Commissioner of Social Security.

SEPTEMBER 28, 1960.

Approved: October 3, 1960.

BERTHA ADKINS, Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 60-9414; Filed, Oct. 6, 1960; 8:49 a.m.]

FEDERAL POWER COMMISSION.

[Docket No. E-6959]

BLACK HILLS POWER & LIGHT CO. Notice of Application

SEPTEMBER 30, 1960.

Take notice that on September 22, 1960, an application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by Black Hills Power & Light Company ("Applicant") for the acquisition of the electric system of Central Electric and Gas Company ("CENGAS"). Applicant is a corporation organized under the laws of the State of South Dakota with its principal business office at Rapid City, South Dakota and is authorized to do business in the States of Wyoming and South Dakota. Applicant is engaged in the generation, transmission, distribution and sale of electric energy and at the present time serves a territory consisting of eighteen incorporated communities and various unincorporated communities and rural areas located in western South Dakota and eastern Wyoming. On July 14, 1960, Applicant entered into a contract with CENGAS for the purchase of all of CENGAS's electric system located immediately adjacent to and integrated with Applicant's facilities in Fall River and Custer Counties, South Dakota. Such electric system serves a total of approximately 1,700 retail customers in the aforesaid areas. Applicant proposes to have a final closing date of October 15, 1960 for the purchase and acquisition of the aforesaid electric facilities of CENGAS. Appli-cant contemplates no changes in the functional use of said system and states that the acquisition of said system can have no adverse effects upon Applicant's ability to serve its jurisdictional customers and Applicant further states that the acquisition of CENGAS's electric system is a natural addition to Applicant's properties, which said properties virtually surround and are integrated with said system.

Any person desiring to be heard or to make any protests with reference to said application should, on or before the 10th day of October, 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application

is on file and available for public inspection.

Joseph H. Gutride, Secretary.

[F.R. Doc. 60-9383; Filed, Oct. 6, 1960; 8:45 a.m.]

[Docket No. CP60-100]

EAST TENNESSEE NATURAL GAS CO. Notice of Application and Date of Hearing

'SFPTEMBER 30, 1960.

Take notice that on May 13, 1960, East Tennessee Natural Gas Company (Applicant) filed in Docket No. CP60-100 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to sell and deliver natural gas, system-wide, to its existing jurisdictional customers for resale to large industrial consumers on a seasonal, off-peak, interruptible basis, during the period April 1 through October 31, of each year, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed service, intended for resale to industrial consumers having requirements of at least 1,000 Mcf per day, would be rendered at a rate of 28 cents per Mcf under Applicant's Rate Schedule S.

The purpose of the requested service is to enable Applicant's customers to compete against lower cost fuels and to benefit said customers as a group by improving the system load factor and reducing the system unit cost of service.

No new facilities or additional capital investment are required to render the proposed service.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 27, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 20, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of an concurrence in omission herein of the intermediate

decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-9384; Filed, Oct. 6, 1960; 8:45 a.m.]

[Docket No. CP61-39]

EL PASO NATURAL GAS CO.

Notice of Application and Date of Hearing

SEPTEMBER 30, 1960.

Take notice that on August 11, 1960, El Paso Natural Gas Company (Applicant) filed in Docket No. CP61-39 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas on both a firm and an interruptible basis to Public Service Company of Colorado (Public Service) for resale and general distribution in the community of Rifle, Colorado, and environs, and to operate existing regulating and metering facilities necessary for such sale and delivery all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant states that its predecessor, Pacific Northwest Pipeline Corporation, has been rendering the subject service to Public Service from the Piceance Creek Field, Rio Blanco County, Colorado, by delivery to Western Slope Gas Company which redelivered to Public Service for resale in the Rifle area.

Until recently the subject service was entirely intrastate and not subject to the jurisdiction of this Commission. Intermittently since March 22, 1960, production from the Piceance Field has been suspended to withhold the relatively low heating value Piceance gas from Applicant's interstate main line stream to insure that the total main line stream would meet the heating value requirements set forth in Applicant's tariff. During such periods of suspension, interstate gas has been utilized for the Public Service sale. Since it appears that such operation will continue, intermittently, Applicant has filed this application for certificate authorization.

No new service or facilities are involved.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 27, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1)

or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 20, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

> JOSEPH H. GUTRIDE. Secretary.

[F.R. Doc. 60-9385; Filed, Oct. 6, 1960; 8:45 a.m.]

[Docket No. E-6960]

IDAHO POWER CO.

Notice of Application

SEPTEMBER 30, 1960.

Take notice that on September 21. 1960, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Idaho Power Company ("Applicant"), a corporation organized under the laws of the State of Maine and doing business in the States of Idaho, Oregon and Nevada with its principal business office

at Boise, Idaho, seeking an order authorizing the issuance of up to \$15,000,000 principal amount of First Mortgage Bonds _____ percent Series due 1990 and the issuance of up to 100,000 shares of Common Stock \$10.00 par value. The aforesaid First Mortgage Bonds will be issued as a new series of 30-year bonds under Applicant's Mortgage and Deed of Trust dated as of October 1, 1937 and Supplemental Indentures thereto and a new Thirteenth Supplemental Indenture thereto. Applicant proposes to issue and sell the First Mortgage Bonds in accordance with requirements of competitive bidding. Said bonds will be issued on or after November 15, 1960 with the interest payable semiannually with the rate supplied by amendment. Applicant proposes to issue and sell 100,000 shares of Common Stock, \$10.00 par value on or after November 1, 1960. With respect to the issuance and sale of the aforesaid common stock, Applicant requests an exemption from § 34.1a of the regulations of the Federal Power Act requiring competitive bidding. Applicant states that the purpose for which the securities are to be issued is the attainment of permanent capital for repayment in part of the principal amount of short-term bank loans of the Applicant now outstanding, heretofore made by Applicant for interim financing of the cost of construction, extension and improvement of operating facilities.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 20th day of October, 1960, file with the Federal Power Commission, Washington 25. D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

> JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-9386; Filed, Oct. 6, 1960; 8:45 a.m.]

[Docket Nos. RI61-106-RI61-110]

STANTON OIL CO., LTD., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates 1

SEPTEMBER 30, 1960.

In the matter of Stanton Oil Company, Ltd., Docket No. RI61-106; D. W. Pickett, Jr. (Operator), et al., Docket No. RI61-107; Texaco Inc., Docket No. RI61-108; Arkansas Fuel Oil Corporation, Docket No. RI61-109; Arkansas Fuel Oil Corporation (Operator), et al., Docket No. RI61-110.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

		Rate	Supple-		Notice of	Date	Effective	Date	Cents	per Mcf	Rate in effect
Docket No.	· Respondent	sched- ule No.	ment No.	Purchaser and producing area	change dated—	tend- ered	date un- less sus- pended	sus- pended until-	Rate in effect	Proposed increased rate	subject to refund in docket Nos.
RI61-106	Stanton Oil Co. Ltd	11		El Paso Natural Gas Co. (Level- land Field, Cochran County, Tex.)	Contract 5-12-58.	9-1-60			4 10. 5		
RI61-106	do	11	1	do	Supp. agree. 6-7-60.	9–1–60	³ 10-2-60	3-2-61	4 10. 5	15. 5	[
RI61-107	D. W. Pickett Jr. (operator), et al.	2	. 8	Tennessee Gas Transmission Co. (Agua Dulce Field, Nucces County, Tex.).	8-31-60	9–7~60	² 10-8-60	3 -8-6 1	4 11. 90337	17.02416	
RI61-108	Texaco Inc	147	, 8	Northern Natural Gas Co. (Hugo- ton Field, Finney County, Tex.).	Undated	9-8-60	*10-9-60	3-9-61	4 12.0	17.0	
RI61-109	Arkansas Fuel Oil Corp	14	11	Texas Eastern Transmission Corp. (Carthago Field, Panola County, Tex.).	9-1-60	9-8-60	11-1-60	4-1-61	414.8	15.0	G-19639
RI61-109	do	49	9	United Fuel Gas Co. (Bourg Field, Terrebonne Parish, La.).	9-1-60	9-8-60	³ 11-1-60	4-161	§ 19. 5	,19, 9	G-19639
RI61-110	Arkansas Fuel Oil Corporation (operator), et al.	48	11	Texas Eastern Transmission Cor- poration (Greenwood Field, Caddo Parish, La.).	9-1-60	9-8-60	³ 11–1–60	4-1-61	16.0058	16. 211	G-19640
RI61-110	do	50	10	Texas Eastern Transmission (Willow Springs Field, Gregg County, Tex.).	9-1-60	9-8-60	* 11–1–60	4-1-61	414.8	15.0	G-19640

¹ Supersedes Sapphire American Petroleums, Inc. FPO Gas Rate Schedule No. 1,

Stanton has submitted a renegotiated rate increase without support for the increase in rate and has proposed that the submittal become effective on the date of Commission authorization.

In support of its increase, Pickett cites the contract provisions and submits copies of Tennessee's favored-nation letter. Pickett states that the proposed price is just and reasonable, not out of line with other prices in the area and is necessary to provide a fair rate of return on investment.

In support of its increase. Texaco cites the contract price-redetermination provisions and submits copies of an arbitration board's decision and award. Texaco states that the contract resulted from arm's-length bargaining, that the pricing provisions were designed to compensate seller for increasing costs of operation and development and that the increased price will not produce excessive revenues.

Arkansas Fuel Oil's support for its periodic rate increases consists of statements to the effect that since no affiliation exists between seller and buyers, the contracts were negotiated at arm's length, that the pricing provisions collectively represent the negotiated contract prices over the long terms of the contracts and that they represent a fair consideration to seller for such long term contracts.

The stated effective date is that requested by respondent.

The pressure base is 14.65 psia. The pressure base is 15.025 psia.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements and rate schedule be suspended and the use thereof deferred as hereinafter ordered.

as amended.

3 The stated effective date is the first day after expiration of the required thirty-day

¹ This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements and Stanton's FPC Gas Rate Schedule No. 1.

(B) Pending hearings and decisions thereon, each of the above-designated supplements and rate schedule is hereby suspended and the use thereof deferred until the date indicated in the above "Rate Suspended Until" column, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements or rate schedule hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 18 and 1.37(f)) on or before November 14, 1960.

By the Commission.

[SEAL]

, Joseph H. Gutride, Secretary.

[F.R. Doc. 60-9387; Filed, Oct. 6, 1960; 8:45 a.m.]

[Docket No. E-6956]

BONNEVILLE POWER ADMINISTRATION

Notice of Request for Approval of General Rate Schedule Provisions

SEPTEMBER 30, 1960.

Notice is hereby given that the Secretary of the Interior, on behalf of the Bonneville Power Administration (Bonneville), has filed with the Federal Power Commission for confirmation and approval, pursuant to the Bonneville Act (50 Stat. 731), as amended, a proposed revision of General Rate Schedule Provision 15.1 covering the sale of "interruptible power" together with a proposed new General Rate Schedule Provision 15.2 covering the sale of "industrial power" by Bonneville; copies of which are attached to this Notice.1 Secretary reports that the revised General Rate Schedule Provision 15.1 entitled "sale of interruptible power" differs from the present provision principally in the rate charges. The wholesale power rate schedules applicable to sales of firm power will also apply to sale of interruptible power as at present, but with the added feature that a reduction of up to 50¢ per kilowatt per month will apply to sale of interruptible power. It is provided, however, that the bill for interruptible power shall not be less than that which would be payable under the applicable rate effective December 20, 1959. The new General Rate Schedule Provision 15.2 entitled "sale of industrial power" provides that the "industrial power," as a class, is also non-firm power to be sold in accordance with a stipulated contract demand except when curtailed either by Bonneville or by the purchaser in accordance with specified contractual provisions. The same amount of rate differential and the provision regarding the amount of the monthly bill applies to sales of industrial power as to interruptible power, mentioned above. The Secretary reports further that the basic reason for making these rate proposals is to provide a means of increasing Bonneville's sales of non-firm power available on the Columbia River system. The anticipated result is that industrial expansion will be promoted and Bonneville will be achieving fuller use of the available Federal power.

The proposed revision of General Rate Schedule Provision 15.1 and the proposed new General Rate Schedule Provision 15.2 are on file with the Commission for public inspection. Any person desiring to make comments or suggestions for Commission consideration with respect to such rate proposals should submit the same in writing on or before October 21, 1960 to the Federal Power Commission, Washington 25, D.C.

JOSEPH H. GUTRIDE, Secretary.

.[F.R. Doc. 60-9404; Filed, Oct. 6, 1960; 8:47 a.m.]

[Docket Nos. RI61-8, RI61-9]

NATURAL GAS PIPELINE CO. OF AMERICA AND PEOPLES GULF COAST NATURAL GAS PIPELINE CO.

Order Providing for Hearing and Suspending Proposed Revised Tariff Sheets ¹

SEPTEMBER 30, 1960.

In the matter of Natural Gas Pipeline Company of America, Docket No. RP 61-8; Peoples Gulf Coast Natural Gas Pipeline Company, RP61-9.

On August 29, 1960, Natural Gas Pipeline Company of America (Natural) tendered for filing Second Revised Sheet Nos. 7-D and 7-F, Sixth Revised Sheet No. 7, and Tenth Revised Sheet No. 7, and Tenth Revised Sheet No. 8 and 6 to its FPC Gas Tariff, First Revised Volume No. 1, proposing an annual increase in its rates and charges of \$484,811 or 0.6 percent to become effective as of October 1, 1960. The proposed increased rates would supersede rates now in effect subject to refund in Docket No. RP60-5 and are in addition to other increased rates presently pending in Docket Nos. G-18148 and G-16026.

On August 29, 1960, Peoples Gulf Coast Natural Gas Pipeline Company (Gulf Coast) tendered for filing Original Sheet No. 20-A and First Revised Sheet Nos. 5, 6, 10, 11, 15, 19, and 20 to its FPC Gas Tariff, Original Volume No. 1, proposing an annual increase in its rates and charges of \$3,715,382 or 6.3 percent to become effective as of October 1, 1960. The proposed increased rates would supersede rates now in effect subject to refund in Docket No. G-18149 and are in addition to other increased rates presently pending in Docket No. G-13951. In addition, Gulf Coast, in its filings proposes changes in the phraseology of measurement provisions in the general terms and conditions of its tariff to clarify the procedure for determining billing volumes where Gulf Coast's deliveries are commingled with those of other suppliers and measured through a common meter.

Natural and Gulf Coast are affiliated companies, both owned by The Peoples Gas Light and Coke Company (Peoples), a Chicago distributor.

In support, Natural claims that its subject filings are based principally on increased costs occasioned by (1) a 100,000 Mcf facility expansion certificated by the Commission in Docket No. G-20202: (2) increased gas purchases at Gulf Coast's higher proposed rates and at increased rates by other suppliers; (3) increased wages and salaries; and (4) a 634 percent rate of return and retention of percentage depletion tax benefits. In support, Gulf Coast claims that its subject filings are based principally on additional costs associated with (1) an 85,000 Mcf facility expansion certificated by the Commission in Docket No. G-19086; (2) increased gas purchases at increased producer rates and shifts in supply sources to more expensive gas; (3) increased wages and salaries; and (4) a 634 percent rate of return.

The proposed increased rates and charges contained in the aforementioned revised tariff sheets tendered by Natural and Gulf Coast on August 29, 1960 may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon public hearings concerning the lawfulness of the rates, charges, classifications and services contained in Second Revised Sheet Nos. 7–D and 7–F, Sixth Revised Sheet No. 7 and Tenth Revised Sheet Nos. 5 and 6 to Natural's FPC Gas Tariff, First Revised Volume No. 1 and Original Sheet No. 20–A and First Revised Sheet Nos. 5, 6, 10, 11, 15, 19, and 20 to Gulf Coast's FPC Gas Tariff, Original Volume No. 1.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held on dates to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications and services contained in Second Revised Sheet Nos. 7-D and 7-F, Sixth Revised Sheet No. 7 and Tenth Revised Sheet

¹ Filed as part of the original document.

¹This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.

Nos. 5 and 6 to Natural's FPC Gas Tariff. First Revised Volume No. 1, and Original Sheet No. 20-A and First Revised Sheet Nos. 5, 6, 10, 11, 15, 19, and 20 to Gulf Coast's FPC Gas Tariff, Original Volume No. 1.

(B) Pending such hearings and decisions thereon the aforementioned revised tariff sheets are hereby suspended and the use thereof deferred until March 1, 1961, and thereafter until such time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.37(f)) on or before November 14, 1960.

By the Commission.

JOSEPH H. GUTRIDE. Secretary.

[F.R. Doc. 60-9405; Filed, Oct. 6, 1960; 8:47 a.m.]

[Docket No. G-19461]

PANHANDLE EASTERN PIPE LINE CO.

Order Permitting Intervention and Setting Date of Hearing

OCTOBER 3, 1960.

Notice of the application filed herein by Panhandle Eastern Pipe Line Company (Panhandle) was published July 30. 1960 in the FEDERAL REGISTER (25 F.R. 7227).

Pursuant to the authority conferred upon the Federal Power Commission by sections 7(c) and 15 of the Natural Gas

Act and the Commission's rules of practice and procedure, a hearing will be held commencing October 24, 1960 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters and issues presented by the application of Panhandle Eastern Pipe Line Company in the above-entitled proceeding.

The final date for the filing of protests or petitions to intervene as set forth in the Notice of Application was August 22, 1960. On August 22, 1960, Illinois Power Company and Michigan Consolidated Gas Company filed petitions to intervene. On September 1, 1960, Panhandle filed an Answer and Objection to Intervene of Michigan Consolidated.

The Commission finds:

(1) It is necessary and appropriate in the disposal of the above-entitled matter that a hearing be held therein before a hearing examiner to be hereafter designated.

(2) It is desirable to allow the petitioners to intervene in this proceeding in order that the petitioners may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) A hearing will be held in the above-entitled matter commencing October 24, 1960 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

(B) Illinois Power Company and Michigan Consolidated Gas Company be and they are hereby permitted to become interveners in the above-entitled proceeding subject to the rules and regulations of the Commission: Provided, however, That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene: And provided, further. That the admission of such interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-9406; Filed, Oct. 6, 1960; 8:48 a.m.]

[Docket Nos. RI61-111, RI61-112]

SOUTHWEST GAS PRODUCING CO., INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates 1

SEPTEMBER 30, 1960.

Southwest Gas Producing Company, Inc., Docket No. RI61-111; D. E. London, et al., Docket No. RI61-112.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No. Res		Rate Suppleschedule nent No.	Supple-	ent Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended unțil	Cents per Mcf		Rate in effect
	Responden t		ment						Rate		subject to refund in docket Nos.
RI61-111	Southwest Gas Producing Co., Inc.	1 16		Texas Gas Transmission Corporation (Monroe Field, Quachita, Union & Morehouse Parishes, La.).	Contract	9-6-60	11160	4-1-61	³ 7. 15		
		1 16	1	(Monroe Field, Quachita, Union & Morchouse Parishes, La.)	\$341,664	9-6-60	11-1-60	4-1-61	* 7.15	16.75	
RI61-112	D. E. London, et al	1	2	Lone Star Gas Company (Asphaltum Field, Stephens & Jefferson Coun- ties, Oklahoma).	9, 749	9-6-60	10-7-60	3-7-61	4 11.0	16.8	G-14805
		3	2	(Asphaltum Field, Stephens & Jeffer- son Counties, Oklahoma.)	2, 531	9-6-60	10-7-60	3-7-61	4 11.0	16.8	G-15237
	<u> </u>	6	2	(Asphaltum Field, Stephens & Jefferson Counties, Oklahoma.)	41, 292	9-6-60	10-7-60	3-7-61	4 11.0	16.8	

¹ Supersedes Southwest Gas Producing Company, Inc.'s FPC Gas Rate Schedule

In support of its proposed increase,

Southwest also states that the renegotiated rate is lower than several initial rates allowed by the Commission in the area.

In support of its proposed increase, London cites the contract provisions, states that the price is just and reasonable and that costs are increasing while gas still remains a bargain fuel. London also states that Lone Star is paying 16.8 cents per Mcf for gas produced in the Knox Field, Stephens and Garvin Counties, Oklahoma.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions

of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness . of the several proposed changes and that the above-designated supplements and rate schedule be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules

² The effective date in each instance is that requested by respondent.

The pressure base is 15.025 psia.
The pressure base is 14.65 psia.

Southwest states that under the old contract, which terminates by its own terms as of October 31, 1960, there was no incentive for initiating a development program in the Monroe Field to increase production and prevent loss and depletion of its reserves. Under the terms of the new contract Southwest states that it is prepared to begin a program of drilling and development of leases and the improvement of its gathering system.

This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements Southwest's FPC Gas Rate Schedule No. 16.

(B) Pending hearings and decisions thereon, each of the above-designated supplements and rate schedule is hereby suspended and the use thereof deferred until the date indicated in the above "Rate Suspended Until" column, and thereafter and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements or rate schedule hereby suspended, nor the rate schedules sought to be altered thereby. shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commis-

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before November 14.

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-9408; Filed, Oct. 6, 1960; 8:48 a.m.

[Docket No. E-6957]

SOUTHEASTERN POWER **ADMINISTRATION**

Notice of Request for Approval of Rate Schedules

SEPTEMBER 30, 1960.

Notice is hereby given that the Secretary of the Interior, on behalf of the Southeastern Power Administration, has filed with the Federal Power Commission for confirmation and approval, pursuant to the Flood Control Act of 1944 (58 Stat. 887), proposed long-term Wholesale Power Rate Schedule JW-1 and Wholesale Power Rate Schedule JW-2 applicable to power marketed from the Jim Woodruff Project; copies of which are attached to this Notice.1 Approval of these rate schedules is requested for a period beginning as soon as practicable and ending August 19, 1962. The Commission, in Docket No. E-6729, has approved the interim rate schedules for the period from November 6, 1958, through June 30, 1961, but not beyond the date of approval of the long-term rates, applicable to power sold from the Jim Woodruff Project. The Secretary reports that the rates and charges contained in the proposed long-term rate schedules JW-1 and JW-2 are similar to those contained in the above-mentioned interim rate schedules.

The proposed Wholesale Power Rate Schedules JW-1 and JW-2 are on file with the Commission for public inspection. Any person desiring to make comments or suggestions for Commission consideration with respect to the proposed rate schedules should submit the same in writing on or before October 21, 1960 to the Federal Power Commission, Washington 25, D.C.

> JOSEPH H. GUTRIDE. Secretary.

[F.R. Doc. 60-9407; Filed, Oct. 6, 1960; 8:48 a.m.]

[Docket No. RI60-325]

TEXAS NATIONAL PETROLEUM CO. Order Providing for Hearing on and Suspension of Proposed Changes

in Rate

SEPTEMBER 30, 1960.

On September 2, 1960, Texas National Petroleum Company (Texas National) tendered for filing proposed changes in its presently effective rate schedules reflecting an annual increase of \$275 for sales of natural gas subject to the jurisdiction of the Commission.

The increase from 17.0 cents to 17.2295 cents per Mcf at a pressure base of 14.65 psia for sales to El Paso Natural Gas Company from the producing area of Spraberry Field, Midland County, Texas, proposes no effective date. The change designated Supp. No. 1 to Supp. No. 1 to Texas National's FPC Gas Rate Schedule No. 8 and the effective date is the first day after the required thirty day's notice.

Texas National states that the tax reimbursement reflected in the subject filing was omitted from the original filing through misinterpretation of the tax reimbursement clause of the amendatory agreement providing for the renegotiated rate of 17.0 cents per Mcf, suspended in Docket No. RI60-325 until October 14, 1960 and until made effective in the manner prescribed by the Natural Gas Act.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed rate and charge contained in Supplement No. 1 to Supplement No. 1 to Texas National's FPC Gas Rate Schedule No. 8, and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18-CFR, Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Supplement No. 1 to Texas National's ¹Filed as part of the original document. FPC Gas Rate Schedule No. 8.

- (B) Pending such hearing and decision thereon, Supplement No. 1 to Supplement No. 1 to Texas National's FPC Gas Rate Schedule No. 8 is hereby suspended and the use thereof deferred until October 14, 1960, or until the date the renegotiated rate increase to 17 cents per Mcf originally suspended in this docket becomes effective subject to refund.
- (C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.
- (D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before November 7;

By the Commission.

JOSEPH H. GUTRIDE. Secretary.

[F.R. Doc. 60-9409; Filed, Oct. 6, 1960; 8:48 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator ACTING REGIONAL ADMINISTRATOR. **REGION IV (CHICAGO)**

Designation of Certain Officials

The following officers of Region IV are hereby designated to act in the place and stead of the Regional Administrator for Region IV, with the title of "Acting Regional Administrator," and with all the powers, functions, duties, and responsibilities delegated or assigned to the said Regional Administrator, in the event the Regional Administrator is unable to act by reason of his absence, illness, or other cause, provided that no officer identified below shall have authority to act as "Acting Regional Administrator" unless all those whose titles appear before his hereunder are unable to act by reason of absence, illness, or other cause:

- 1. Regional Director of Community Facilities Activities.
- 2. Regional Director of Urban Renewal.
 - 3. Regional Counsel.
 - Regional Economist.

The designations made herein supersede those made in designation document effective October 21, 1957, which is hereby revoked.

(Housing and Home Finance Administrator's delegation effective April 1, 1960 (25 F.R. 3438, April 20, 1960))

Effective as of the 12th day of September 1960.

[SEAL] JOHN P. McCollum. Regional Administrator, Region IV.

[F.R. Doc. 60-9415; Filed, Oct. 6, 1960; 8:49 a.m.1

SMALL BUSINESS ADMINISTRA-

[Delegation of Authority No. 2 (Rev. 4)]

DIRECTOR, OFFICE OF ORGANIZA-TION AND MANAGEMENT

Delegation Relating to Organization and Management

I. Pursuant to the authority delegated to the Deputy Administrator for Administration by the Administrator (Delegation No. 1, Revision 5) (25 F.R. 7416), there is hereby redelegated to the Director, Office of Organization and Management, the authority:

A. Administrative. 1. To contract for supplies, materials and equipment, printing, transportation, communications,

space and special services.

2. To effect the disposition of official records of SBA.

3. To approve (a) annual and sick leave, (b) leave without pay not in excess of 30 days, and (c) overtime work for employees under his supervision. 4. To give final approval of SBA forms.

5. To authorize or approve his personal travel and the travel of employees of the Office of Organization and Management, except travel where actual sub-

sistence expenses are requested.

6. To enter into contracts for supplies and services pursuant to Delegation of Authority No. 363, dated March 10, 1959 (24 F.R. 1921, and 2096) from the Administrator of the General Services Administration to the Small Business Administration.

7. To effectuate an adequate property utilization and accountability program

on an agency-wide basis.

C. Correspondence. To sign all nonpolicymaking correspondence, except Congressional correspondence, relating to the functions of the Office of Organization and Management.

II. The authority delegated in I.A.5

may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Organization and Management.

IV. All previous authority delegated by the Deputy Administrator for Administration to the Director, Office of Organization and Management, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: September 14, 1960.

ROBERT H. MONTGOMERY. Deputy Administrator for Administration.

[F.R. Doc. 60-9390; Filed, Oct. 6, 1960; 8:45 a.m.]

[Delegation of Authority No. 2-2]

DEPUTY DIRECTOR, OFFICE OF OR-GANIZATION AND MANAGE-MENT

Delegation Relating to Organization and Management

I. Pursuant to the authority delegated to the Director, Office of Organization

and Management by the Deputy Administrator for Administration, by Delegation of Authority No. 2 (Revision 4), dated September 14, 1960, there is hereby redelegated to the Deputy Director, Office of Organization and Management, the authority:

A. Administrative. 1. To contract for supplies, materials and equipment, printing, transportation, communications, space and special services.

2. To effect the disposition of official records of SBA.

3. To approve (a) annual and sick leave, (b) leave without pay not to exceed 30 days, and (c) overtime work for employees under his supervision.

4. To give final approval of SBA forms. 5. To enter into contracts for supplies and services pursuant to Delegation of Authority No. 363, dated March 10, 1959 (24 F.R. 1921 and 2096) from the Administrator of the General Services Administration to the Small Business Administration.

To effectuate an adequate property utilization and accountability program

on an agency-wide basis.

B. Correspondence. _To sign all nonpolicymaking correspondence, except Congressional correspondence, relating to the functions of the Office of Organization and Management.

II. The authority delegated in I.A.3 (b) and (c) may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Deputy Director, Office of Organization and Management.

IV. All previous authority delegated to the Deputy Director, Office of Organization and Management is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: September 14, 1960.

WILLIAM C. FISHER, Director, Office of Organization and Management.

[F.R. Doc. 60-9391; Filed, Oct. 6, 1960; 8:45 a.m.]

[Delegation of Authority No. 2-2A]

CHIEF, ADMINISTRATIVE SERVICES DIVISION

Delegation Relating to Administrative Services

I. Pursuant to the authority delegated to the Deputy Director, Office of Organization and Management, by Delegation of Authority No. 2-2, dated September 14, 1960, there is hereby redelegated to the Chief, Administrative Services Division, the authority:

A. Administrative. 1. To contract for supplies, materials and equipment, printing, transportation, communications, space and special services.

- 2. To enter into contracts for supplies and services pursuant to Delegation of Authority 363, dated March 10, 1959 (24 F.R. 1921, 2096), from the Administrator of the General Services Administration to the Small Business Administration.
- 3. To effect the disposition of official records of SBA.

4. To approve annual and sick leave for employees under his supervision.

5. To effectuate an adequate property utilization and accountability program

on an agency-wide basis.

B. Correspondence. To sign all nonpolicymaking correspondence, other than Congressional correspondence, and replies to correspondence addressed to the Deputy Administrator for Administration and the Director, Organization and Management, relating to the functions of the Administrative Services Division.

II. The authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Administrative Services Division.

IV. All previous authority delegated to the Chief, Administrative Services Division, by the Director, Office of Organization and Management, by Delegation No. 2-1 (Revision 4), is rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: September 14, 1960.

NORMAN J. BILLINGSLEY, Deputy Director, Office of Organization and Management.

[F.R. Doc. 60-9392; Filed, Oct. 6, 1960; 8:46 a.m.]

'[Delegation of Authority No. 30-XII-2 (Revision 1)]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance Division

I. Pursuant to the authority vested in the Regional Director by Delegation No. 30 (Revision 6) (25 F.R. 1706), as amended (25 F.R. 7418) there is hereby delegated to the Chief, Financial Assistance Division, San Francisco Regional Office, Small Business Administration, the following authority:

A. Financial assistance. 1, to approve

the following types of loans:

(a) Direct business loans in an amount not exceeding \$20,000;

(b) Participation business loans in an amount not exceeding \$100,000.

2. To approve disaster loans in an amount not exceeding \$50,000;

3. To decline disaster loans:

4. To approve or decline Limited Loan Participation loans;

5. To enter into Business Loan and Disaster Loan Participation Agreements with banks:

6. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority; said execution to read as follows:

> PHILIP McCallum, Administrator, Ву ____

(Name) Chief, Financial Assistance Division.

7. To cancel, reinstate, modify and

amend authorizations for business or disaster loans.

8. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

9. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

10. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased, and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers, including without limiting the generality of the foregoing:

(a) The asignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor. licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

(b) The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) or liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing:

11. To take the following actions in the administration of fisheries' loans:

(a) Amend the hull insurance provision of any authorization issued prior to September 3, 1958, for a loan of \$10,000

(b) Administer current fisheries' loans and those loans delinquent not more than 60 days within the same authority exercised with respect to SBA loans, except execute satisfactions, releases or partial releases of Preferred Ship Mortgages, or other mortgages, deeds of trust, etc., securing fisheries' loans, or to postpone or change payments due or to endorse checks in payment of insurance claims when said checks are not being paid to the Government as a payment on a fishery loan.

C. Correspondence. To sign all nonpolicy making correspondence, except congressional correspondence, relating to the financial assistance functions.

II. The authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previous authority delegated to the Chief, Financial Assistance Division, is hereby revoked without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: June 20, 1960.

EDWARD L. TURKINGTON. Regional Director, San Francisco Regional Office.

8:46 a.m.1

[Delegation of Authority No. 30-XII-3 taken under such delegations prior to (Revision 1)1

CHIEF, PROCUREMENT AND TECHNI-CAL ASSISTANCE DIVISION

Delegation Relating to Procurement and Technical Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 6), (25 F.R. 1706), as amended (25 F.R. 7418) there is hereby delegated to the Chief, Procurement and Technical Assistance Division, Francisco Regional Office, Small Business Administration, the authority:

A. Procurement and technical assistance. To (a) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements, (b) determine need for representation at procurement and disposal centers, and (c) determine joint setasides for Government procurement and

B. Correspondence. To sign all nonpolicy making correspondence, except Congressional correspondence, relating to the procurement and technical assistance functions.

II. The specific authority delegated in subsection I.B. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Procurement and Technical Assistance Division.

IV. All previous authority delegated to the Chief, Procurement and Technical Assistance Division, is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: June 20, 1960.

EDWARD L. TURKINGTON. Regional Director, San Francisco Regional Office.

[F.R. Doc. 60-9394; Filed, Oct. 6, 1960; 8:46 a.m.]

[Delegation of Authority No. 30-XII-5 (Revision 1)]

REGIONAL COUNSEL, SAN FRAN-CISCO REGIONAL OFFICE

Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 6) (25 F.R. 1706), as amended (25 F.R. 7418) there is hereby delegated to the Regional Counsel, San Francisco Regional Office, Small Business Administration, the authority:

A. Financial assistance. To disburse all approved loans.

B. Correspondence. To sign all nonpolicy correspondence, except Congressional correspondence, relating to the legal functions of the regional office.

II. The authority delegated herein may not be redelegated.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Regional Counsel.

IV. All previous authority delegated [F.R. Doc. 60-9393; Filed, Oct. 6, 1960; "to the Regional Counsel is hereby rescinded without prejudice to actions the date hereof.

Effective date: June 20, 1960.

EDWARD L. TURKINGTON, Regional Director, San Francisco Regional Office.

[F.R. Doc. 60-9395; Filed, Oct. 6, 1960; 8:46 a.m.]

[Delegation of Authority No. 30-XII-8]

CHIEF, LOAN ADMINISTRATION SECTION

Delegation Relating to Loan Administration and Liquidation Functions

1. Pursuant to the authority delegated to the Chief, Financial Assistance Division, by Delegation of Authority 30-XII-2 dated June 20, 1960, there is hereby delegated to the Chief, Loan Administration and Liquidation Section, San Francisco Regional Office. Small Business Administration, the following authority:

A. Financial assistance. 1. To take all necessary actions in connection with the servicing, administration and collection of partially or fully disbursed loans.

2. Administer current fisheries' loans and those loans delinquent not more than 60 days within the same authority exercised with respect to SBA loans, except execute satisfactions, releases or partial release of Preferred Ship Mortgages, or other mortgages, deeds of trust, etc., securing fisheries' loans, or to postpone or change payments due or to endorse checks in payment of insurance claims when said checks are not being paid to the Government as a payment on a fishery loan.

3. To take all necessary actions in connection with the liquidation of partially or fully disbursed loans, other obligations and acquired property.

B. Correspondence. To sign all nonpolicymaking correspondence, except Congressional correspondence, relating to the Loan Administration and Liquidation functions of the regional Financial Assistance Program.

II. The specific authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Administration and Liquidation Section, Financial Assistance Division.

Effective date: July 12, 1960.

JOSEPH WASSERBURGER. Acting Chief, Financial Assistance Division, San Francisco Regional Office.

[F.R. Doc. 60-9396; Filed, Oct. 6, 1960; 8:46 a.m.]

[Delegation of Authority No. 30-XII-9]

CHIEF, LOAN PROCESSING SECTION

Delegation Relating to Loan Processing Functions

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division by the Regional Director by Delegation of Authority No. 30-XII-2, dated June 20, 1960, there is hereby redelegated to the Chief, Loan Processing Section, San Francisco Regional Office, the authority:

A. Financial assistance. 1. To approve the following types of loans:

(a) Direct business loans in an amount not exceeding \$20,000.

(b) Participation business loans in an

amount not exceeding \$50,000.

(c) Disaster loans in an amount not exceeding \$20,000.

2. To execute loan authorizations for loans approved under delegated authority, said execution to read as follows:

PHILIP McCallum. Administrator.

Bv ___ (Name) Chief, Loan Processing Section.

3. To modify or amend authorizations for business or disaster loans approved by the Administrator by the issuance of Certificates of Modification, and to modify or amend authorizations for loans approved under delegated authority in any manner consistent with the original authority to approve loans.

4. To extend the disbursement period on all undisbursed authorizations.

B. Correspondence. To sign all nonpolicymaking correspondence originating in the Loan Processing Section, except Congressional correspondence and correspondence with the Washington office.

II. The specific authority delegated in

I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief Loan Processing Section .

Effective date: July 13, 1960.

JOSEPH WASSERBURGER, Acting Chief, Financial Assistance Division, San Francisco Regional Office.

[F.R. Doc. 60-9397; Filed, Oct. 6, 1960; 8:46 a.m.]

[Delegation of Authority No. 30-XV-9]

ASSISTANT REGIONAL COUNSEL Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to Regional Counsel by Delegation of Authority No. 30-XV-4 (Revision 1), dated August 22, 1960, there is hereby redelegated to Assistant Regional Counsel the authority:

A. Financial assistance. To disburse all approved loans.

B. Correspondence. To sign all nonpolicy correspondence, except Congressional correspondence and correspondence addressed to the Washington office. relating to the legal functions of the Regional Office.

II. The authority delegated herein may not be redelegated.

Effective date: August 22, 1960.

J. D. OWENS. Regional Counsel, Detroit Regional Office.

[F.R. Doc. 60-9398; Filed, Oct. 6, 1960; 8:46 a.m.]

[Delegation of Authority 30-X-6 (Revision 2),]

BRANCH MANAGER, NEW ORLEANS, LOUISIANA

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, New Orleans Branch Office, Small Business Administration, the authority:

A. Financial assistance. 1. To approve but not decline the following types of loans:

a. Direct Business Loans in an amount not exceeding \$20,000.

b. Participation Business Loans in an amount not exceeding \$100,000.

2. To approve or decline disaster loans in an amount not exceeding \$50,000, but not to decline reconsiderations of applications for such loans.

3. To approve or decline Limited Loan

Participation Loans.

4. To enter into Disaster Loan Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority such execution to read, as follows:

> PHILIP McCallum, Administrator.

(Name)

Manager, New Orlean's Branch Office.

6. To cancel, reinstate, modify or amend authorizations for business or disaster loans (within the above amount standards).

7. To extend the disbursement period on all loan authorizations or undisbursed

portions of loans.

8. To approve, when requested in advance of disbursement, conformed copies of Notes and other closing documents and certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreements.

9. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

10. To take the following actions in the administration of fisheries' loans:

a. Amend loan authorizations.

b. Extend the period of disbursement of loans of \$50,000, or less for a period of not to exceed four months.

c. Amend the hull insurance provisions of any authorization issued prior to September 3, 1958, for a loan of \$10,000 or less.

d. Cancel loan authorizations prior to disbursement upon the written request of the applicant.

e. Administer fisheries' loans within the same authority exercised with respect to SBA loans.

B. Procurement and technical assistance. To: (a) Determine joint set-asides

for Government procurements and sales; (b) Determine the need for representation at procurement and disposal centers: and (c) Develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

C. Administrative. 1. To administer

oaths of office.

2. To approve annual and sick leave, except advanced annual and sick leave. for employees under his supervision.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

D. Correspondence. To sign all nonpolicymaking correspondence, including Congressional correspondence, relating to the functions of the branch office.

II. The specific authority delegated I.A. may not be redelegated. The specific authority delegated in I.D. may be redelegated limiting such redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, New Orleans, Louisiana, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: August 29, 1960.

C. W. FERGUSON, Regional Director, Dallas Regional Office.

[F.R. Doc. 60-9348; Filed, Oct. 5, 1960; 8:48 a.m.]

. [Delegation of Authority 30-X-7 (Revision 3)]

BRANCH MANAGER, OKLAHOMA CITY, OKLAHOMA

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative **Functions**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, Oklahoma City Branch Office, Small Business Administration, authority:

A. Financial assistance. 1. To approve but not decline the following types of loans:

a. Direct Business Loans in an amount not exceeding \$20,000.

b. Participation Business Loans in an amount not exceeding \$100,000.

2. To approve or decline disaster loans in an amount not exceeding \$50,000, but not decline reconsiderations of applications for such loans.

3. To approve or decline Limited Loan Participation Loans.

4. To enter into Disaster Loan Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority such execution to read, as follows:

> PHILIP McCallum, Administrator,

(Name)

Manager, Oklahoma City Branch Office.

- 6. To cancel, reinstate, modify or amend authorizations for business or disaster loans (within the above amount standards).
- 7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 8. To approve, when requested, in advance of disbursement, conformed copies of Notes and other closing documents and certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreements.
- 9. To take all necessary actions to effect the servicing, administration, and collection of all current loans having an outstanding balance not in excess of \$100,000.
- B. Procurement and technical assistance. To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and dis-posal agencies required local procedures for implementing established interagency policy agreements.
- C. Administrative. 1. To administer oaths of office.
- 2. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.
- 3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.
- 4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.
- D. Correspondence. To sign all nonpolicymaking correspondence, including Congressional correspondence, relating to the functions of the branch office.
- II. The specific authority delegated in I.A. may not be redelegated. The specific authority delegated in I.D. may be redelegated limiting such redelegation to routine correspondence only.
- III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.
- IV. All previous authority delegated by the Regional Director to the Branch Manager, Oklahoma City, Oklahoma, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: August 29, 1960.

C. W. FERGUSON, Regional Director, Dallas Regional Office.

[F.R. Doc. 60-9349; Filed, Oct. 5, 1960; 8:48 a.m.]

[Delegation of Authority 30-X-2 (Revision 2)]

BRANCH MANAGER, LITTLE ROCK, **ARKANSAS**

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative **Functions**

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, Little Rock Branch Office, Small Business Administration, the authority:
- A. Financial assistance. 1. To approve but not decline the following types of loans:
- a. Direct Business Loans in an amount not exceeding \$20,000.
- b. Participation Business Loans in an amount not exceeding \$100,000.
- 2. To approve or decline disaster loans in an amount not exceeding \$50,000, but not to decline reconsiderations of applications for such loans.
- 3. To approve or decline Limited Loan Participation Loans.
- 4. To enter into Disaster Loan Participation Agreements with banks.
- 5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority such execution to read, as follows:

PHILIP McCallum,
Administrator,

By _____(Name) Manager, Little Rock Branch Office.

6. To cancel, reinstate, modify or amend authorizations for business or disaster loans (within the above amount standards).

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

- 8. To approve, when requested, in advance of disbursement, conformed copies of Notes and other closing documents and certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreements.
- 9. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.
- B. Procurement and technical assistance. To: (a) Determine joint setasides for Government procurements and sales: (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.
- C. Administrative. 1. To administer oaths of office.

2. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

D. Correspondence. To sign all nonpolicymaking correspondence, including Congressional correspondence, relating to the functions of the branch office.

II. The specific authority delegated in I.A. may not be redelegated. The specific authority delegated in I.D. may be redelegated limiting such redelegation to ' routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Little Rock, Arkansas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: August 29, 1960.

C. W. FERGUSON. Regional Director Dallas Regional Office.

[F.R. Doc. 60-9350; Filed, Oct. 5, 1960; 8:48 a.m.]

> Delegation of Authority 30-X-9 (Revision 2)]

BRANCH MANAGER, SAN ANTONIO, TEXAS

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative **Functions**

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, San Antonio Branch Office, Small Business Administration, the authority:
- A. Financial assistance. prove but not decline the following types of loans:
- a. Direct Business Loans in an amount not exceeding \$20,000.
- b. Participation Business Loans in an amount not exceeding \$100,000.
- 2. To approve or decline disaster loans in an amount not exceeding \$50,000, but not to decline reconsiderations of applications for such loans.
- 3. To approve or decline Limited Loan Participation Loans.
- 4. To enter into Disaster Loan Participation Agreements with banks.
- 5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority such execution to read, as follows:

PHILIP McCallum, Administrator,

(Name)

Manager, San Antonio Branch Office.

6. To cancel, reinstate, modify or amend authorizations for business or disaster loans (within the above amount standards).

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of Notes and other closing documents and certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreements.

9. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of

\$100,000.

- 10. To take the following actions in the administration of fisheries' loans: a. Amend loan authorizations.
- b. Extend the period of disbursement of loans of \$50,000, or less for a period of not to exceed four months.
- c. Amend the hull insurance provisions of any authorization issued prior to September 3, 1958, for a loan of \$10,000 or less.
- d. Cancel loan authorizations prior to disbursement upon the written request of the applicant.

e. Administer fisheries' loans within the same authority exercised with respect to SBA loans.

- B. Procurement and technical assist-To: (a) Determine joint setasides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.
- C. Administrative. 1. To administer oaths of office.
- 2. To approve annual and sick leave. except advanced annual and sick leave. for employees under his supervision.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

D. Correspondence. To sign all nonpolicymaking correspondence, including Congressional correspondence, relating to the functions of the branch office.

II. The specific authority delegated in I.A. may not be redelegated. The specific authority delegated in I.D. may be redelegated limiting such redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, San Antonio, Texas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: August 29, 1960.

C. W. FERGUSON. Regional Director, Dallas Regional Office.

[F.R. Doc. 60-9351; Filed, Oct. 5, 1960; 8:48 a.m.]

[Delegation of Authority 30-X-18 (Revision 1)]

BRANCH MANAGER, LUBBOCK, **TEXAS**

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative **Functions**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706 and 7418), there is hereby redelegated to the Branch Manager, Lubbock Branch Office, Small Business Administration, the authority:

A. Financial assistance. 1. To approve but not decline the following types

of loans:

a. Direct business loans in an amount not exceeding \$20,000.

b. Participation Business Loans in an amount not exceeding \$100,000.

2. To approve or decline disaster loans in an amount not exceeding \$50,000, but not to decline reconsiderations of applications for such loans:

3. To approve or decline Limited Loan

Participation Loans.

4. To enter into Disaster Loan Partici-

pation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority such execution to read, as follows:

> PHILIP McCallum. Administrator.

(Name) Manager, Lubbock Branch Office.

- 6. To cancel, reinstate, modify or amend authorizations for business or disaster loans (within the above amount standards).
- 7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 8. To approve, when requested, in advance of disbursement, conformed copies of Notes and other closing documents and certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreements.
- 9. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.
- B. Procurement and technical assistance. To: (a) Determine joint set-asides for Government procurements and sales: (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.
- C. Administrative. 1. To administer oaths of office.
- 2. To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.
- 3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA. No. A4019), for interested rail carriers.

4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

D. Correspondence. To sign all nonpolicymaking correspondence, including Congressional correspondence, relating to the functions of the branch office.

II. The specific authority delegated in I.A. may not be redelegated. The specific authority delegated in I.D. may be redelegated limiting such redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Lubbock, Texas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: August 29, 1960.

C. W. FERGUSON. Regional Director, Dallas Regional Office.

[F.R. Doc. 60-9352; Filed, Oct. 5, 1960; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 4, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36608: Petroleum-Louisiana points to Eastern points. Filed by O. W. South, Jr., Agent (SFA No. A4020), for interested rail carriers. Rates on partially refined petroleum, in tank-car loads, as described in the application, from Baton Rouge-New Orleans, La., group points, to specified points in Delaware, New Jersey and Pennsylvania, also Baltimore, Md.

Grounds for relief: Water competition.

Tariff: Supplement 33 to Southern Freight Association tariff I.C.C. S-85.

FSA No. 36609: Grain and grain products—Southwestern and WTL territories to Gregory, Tex. Filed by Southwestern Freight Bureau, Agent (No. B-7905), for interested rail carriers. Rates on grain and grain products, in carloads, as described in the application, from points in southwestern and western trunk line territories, to Gregory, Tex. (for export).
Grounds for relief: Rate relationship

with Corpus Christi, Tex.

Tariffs: Supplement 106 to Southwestern Freight Bureau tariff I.C.C. 4238, and other schedules listed in the application.

FSA No. 36610: Glycols—Doe Run, Ky., to Mapleton, Ill., and Kensington, Pa. Filed by O. W. South, Jr., Agent (SFA Rates on glycols, ethylene, diethylene or triethylene, in tank-car loads, from Doe Run, Ky., to Mapleton, Ill., and Kensington, Pa.

Grounds for relief: Barge competition. Tariffs: Supplements 149 and 47 to Southern Freight Association tariffs I.C.C. 1565 and S-83, respectively.

FSA No. 36611: Carbide of calcium residue—Woodstock, Tenn., to Southern Territory. Filed by O. W. South, Jr., Agent (SFA No. A4018), for interested rail carriers. Rates on carbide of calcium residue, as described in the application, in carloads, from Woodstock, Tenn., to points in southern territory.

Grounds for relief: Short-line distance

formula and grouping.

Tariff: Supplement 137 to Southern Freight Association tariff I.C.C. 1345.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-9399; Filed, Oct. 6, 1960; 8:47 a.m.]

[Notice 7]

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD CO. Applications for Loan Guaranties

OCTOBER 3, 1960.

Notice is hereby given of the filing of the following application under part V of the Interstate Commerce Act:

Finance Docket No. 21299 filed September 30, 1960, by the New York, New Haven and Hartford Railroad Company, 54 Meadow Street. New Haven 6. Connecticut, for guaranty by the Interstate Commerce Commission of a loan in amount not exceeding \$6,000,000. Applicant's representative: A. G. Kuhbach, First Vice President, The New York, New Haven and Hartford Railroad Company, 54 Meadow Street, New Haven 6, Connecticut. Loan is for the purpose of reimbursing applicant's treasury for expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements.

By the Commission.

[SEAL]

HAROLD D. McCoy. Secretary.

[F.R. Doc. 60-9400; Filed; Oct. 6, 1960; 8:47 a.m.1

[Notice 8]

LEHIGH VALLEY RAILROAD CO. Applications for Loan Guaranties

OCTOBER 3, 1960.

Notice is hereby given of the filing of the following application under part V of the Interstate Commerce Act:

Finance Docket No. 21300 filed September 30, 1960, by Lehigh Valley Railroad Company, 143 Liberty Street, New York 6, New York, for guaranty by the Interstate Commerce Commission of a loan in amount not exceeding \$5,000,000. Applicant's representative: Jose R. de Capriles, Vice President and General Counsel, Lehigh Valley Railroad Com-

pany, 143 Liberty Street, New York 6, New York. Loan is for the purposes of (a) reimbursing applicant's treasury for expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements, and (b) providing funds for the maintenance of applicant's property.

By the Commission.

[SEAL]

HAROLD D. McCOY. Secretary.

[F.R. Doc 60-9401; Filed, Oct. 6, 1960; 8:47 a.m.]

[Notice 391]

MOTOR CARRIER TRANSFER **PROCEEDINGS**

OCTOBER 4, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63425. By order of September 30, 1960, the Transfer Board approved the transfer to Arthur Lawrence Liner, Rose Liner and John A. Liner, a partnership, doing business as Liner's Express & Storage, Newburgh, N.Y., of a portion of Certificate in No. MC 15280, issued July 16, 1953, to George F. Johnson, doing business as Frank M. Johnson's Sons, Newburgh, N.Y., authorizing the transportation of: Household goods, as defined by the Commission, over irregular routes, between Newburgh, N.Y., on the one hand, and, on the other, Maybrook, Montgomery, Pine Bush and Wallkill, N.Y., points in Fairfield, Hartford, Litchfield and New Haven Counties, Conn., and points in Essex County, N.J. William F. Leahey, Attorney at Law, 4 Liberty Street, Poughkeepsie, N.Y., for applicants.

No. MC-FC 63430. By order of September 30, 1960, the Transfer Board approved the transfer to Bremerton-Tacoma Stages, Inc., 1936 Westlake Ave., Seattle, Wash., of Certificates in MC 28339 Sub 1 and MC 28339 Sub 2, issued December 7, 1959 and October 13, 1949, respectively, to Bremerton-Tacoma Stages, Inc., as amended September 13, 1960, now known as Myers-Swanson, Inc., 215 1st Ave., Bremerton, Wash., authorizing the transportation of: Passengers and their baggage, and express, mail and newspapers in the same vehicle with passengers, between Pleasant Valley Junction, Wash., and Bremerton, Wash., serving all intermediate points, and between Pleasant Valley Junction, Wash., and Tacoma, Wash. Howe, Davis, Riese

& Jones, Attorneys at Law, 977 Dexter Horton Building, Seattle 4, Wash.

No. MC-FC 63485. By order of September 30, 1960, the Transfer Board approved the transfer to S & G Trucks, Inc., Denver City, Texas, of Certificate in No. MC 56057 Sub 2, issued July 19, 1957, to George W. Richardson and Cecil Richardson, a partnership, doing business as S & G Trucks, Denver City, Texas, authorizing the transportation of: Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products, and by-products, and machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main pipe lines, between points in Andrews, Bailey, Cochran, Crane, Ector, Fisher, Gaines, Hockley, Howard, Lamb, Loving, Midland, Mitchell, Nolan, Parmer, Pecos, Reeves, Terry, Upton, Ward, Winkler, and Yoakum Counties, Texas, and Eddy and Lea Counties, N. Mex. Richard C. Baker, P.O. Box 793, Austin, Texas, for applicants.

No. MC-FC 63524. By order of September 30, 1960, the Transfer Board approved the transfer to Thomas Hanley, doing business as Hanley Trucking, Hillsdale, N.J., of Permits Nos, MC 116473 and MC 116473 Sub 2, issued March 21, 1958 and September 30, 1959, respectively, to Edward Hanley, doing business as Hanley Trucking, River Vale, N.J., authorizing the transportation of: Cotton and synthetic wadding, in rolls, from the site of the plant of Carlee Corporation at Rockleigh, N.J., to New York, N.Y., and points in Nassau County, N.Y., and Air Filter material, in rolls, from the plant of the Carlee Corporation at Rockleigh, N.J., to Bethesda, Md.

No. MC-FC 63540. By order of September 30, 1960, the Transfer Board approved the transfer to John J. Maloney and Ferdinand F. Maloney, doing business as J. J. Maloney Co., Camden, N.J., of Certificate No. MC 35485, issued October 4, 1950, to A. M. Uhrik, Inc., Philadelphia, Pa., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Philadelphia, Pa., and New York, N.Y., over U.S. Highway 1, serving the intermediate points of Trenton and Jersey City, N.J.; off-route points in that part of New York east of the Hudson River and south of a line beginning at Tarrytown, N.Y., and extending in a southeasterly direction to Port Chester, N.Y., including the points named; and those in New Jersey within 20 miles of New York, N.Y.; glass globes, lighting fixtures, and empty containers, between Philadelphia, Pa., on the one hand, and, on the other, Bridgeport, New Haven, and Hartford, Conn., Providence, R.I., Boston, Mass., and points within five miles of Boston; and non-ferrous metals and metal drosses, between Philadelphia,

9664 NOTICES

Pa., on the one hand, and, on the other, Providence and Pawtucket, R.I., Boston, Mass., points within five miles of Boston, and those in Connecticut. Raymond A. Thistle, Jr., 226 South 16th Street, Philadelphia 2 Pa. for applicants

delphia 2, Pa., for applicants. No. MC-FC 63548. By order of September 30, 1960, the Transfer Board approved the transfer to P & D Transportation, Inc., Middletown, R.I., of Certificate No. MC 2415, issued June 9, 1958, to The Cole Teaming Warehouse Company, a Corporation, Providence, R.I., authorizing the transportation of: General commodities, excluding commodities in bulk, and other specified commodities, between Providence, R.I., and points in Rhode Island and Massachusetts as specified, serving all intermediate points on the designated highways and the offroute points of Somerset, New Bedford, Swansea, Taunton, Barrowsville, and North Dighton, Mass., and Jamestown, Hope, Warwick, and Washington, R.I.; and between South Attleboro, Mass., and Chartley, Mass., serving all intermediate points on the designated highway, and the off-route points of Barrowsville, Taunton and North Dighton, Mass; such merchandise as is dealt in by wholesale. retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from Pawtucket, and Providence, and/or East Providence, R.I., to points in Rhode Island and those within Massachusetts and Connecticut territories, as specified; and salvaged shipments of the commodities specified immediately above, and empty containers therefor, from points in the destination territory specified, to Providence, East Providence, and Pawtucket, R.I. Joseph A. Kline, 185 Devonshire Street, Boston 10, Mass., for applicants.

No. MC-FC 63572. By order of September 30, 1960, the Transfer Board approved the transfer to Poughkeepsie Cab Co., Inc., Poughkeepsie, N.Y., of Certificate No. MC 96470, issued August 13, 1950, to Raymond Cacchio, doing business as Campus Cabs, Poughkeepsie, N.Y., authorizing the transportation of: Passengers and their baggage, in special

operations, in non-scheduled service, limited to seven passengers and chauffeur per single vehicle, during the season extending from the 15th day of September to the 15th day of June, inclusive, between Poughkeepsie, N.Y., on the one hand, and, on the other, points in Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, and New Jersey. Isaac M. Levinson, 331 Madison Avenue, New York, N.Y., for applicants.

No. MC-FC 63602. By order of September 30, 1960, the Transfer Board approved the transfer to Harms Pacific Transport, Inc., Bellevue, Wash., of Certificates Nos. MC 89693 and MC 89693 Sub 28, issued November 14, 1958 and January 26, 1959, to J. D. Harms, J. D. Harms, Jr., and Gretchen Harms, a partnership, doing business as Harms Pacific Transport, Bellevue, Wash., authorizing the transportation, over irregular routes. of lignin liquor, in tank vehicles, from Shelton, Tacoma, Seattle, Everett, Bellingham, and Gray's Harbor, Wash., to points in Washington, Oregon, and Idaho, and points in Montana on and west of U.S. Highway 91, liquid petroleum products, in tank vehicles, from The Dalles, and Umatilla, Oreg., to points in Washington east of the Cascade Mountains, petroleum and petroleum products, in bulk, in tank vehicles, from Pasco, Wash., to points in Washington east of the Cascade Mountains, from Boise, Burley, and Twin Falls, Idaho, and points within 10 miles of each, to points in Yakima, Kittitas, Chelan, Skamania, and Okanogan Counties, Wash., and points in Washington east of said counties, petroleum products, in bulk, in tank vehicles, from Baker, and Blakely, Oreg., and points within 10 miles of each, and points within five miles of Pasco. Wash.. to points in Washington in and east of Skamania, Yakima, Kittitas, Chelan, and Okanogan Counties, Klickitat, Wash., liquid fertilizers, in bulk, in tank vehicles, from Walla Walla, Wash., to points in Oregon in and east of Wasco. Jefferson, Deschutes, and Klamath Counties, Oreg., from Walla Walla, Rockford, and Dayton, Wash., to points in Idaho in and north of Idaho County, Idaho,

and fertilizer (except anhydrous ammonia) in bulk, in tank vehicles, from Finley and Pasco, Wash., and points within 5 miles of each, to points in Oregon in east of Wasco, Jefferson, Deschutes, and Klamath Counties, Oreg., and to points in Idaho in and north of Idaho County, Idaho, and the substitution of transferee for transferor as applicant in Docket No. MC 89693 Sub 30. Richard K. Bush, 545 Henry Building, Seattle 1, Wash., for applicants.

No. MC-FC 63603. By order of September 30, 1960, the Transfer Board approved the transfer to Grace May Jump, Robert Lee Jump and Leo L. Jump, a partnership, doing business as Wright Transfer Company, Santa Ana, Calif., of Certificate No. MC 4086 issued June 10, 1949, in the name of Leon G. Jump, Grace May Jump, Robert Lee Jump, and Leo L. Jump, a partnership, doing business as Wright Transfer, Santa Ana, Calif., authorizing the transportation of household goods, over irregular routes, between Santa Ana, Calif., on the one hand, and, on the other, points within 30 miles of Santa Ana. T. A. L. Loretz, Suite 205, 108 West Sixth Street, Los Angeles 14, Calif., for applicants.

No. MC-FC 63606. By order of September 30, 1960, the Transfer Board approved the transfer to Wiegmann Co., Inc., Eldersville, Pennsylvania, of a Certificate in No. MC 61567 issued December 7, 1943 to Van Nest Wiegmann, Eldersville, Pennsylvania, which authorizes the transportation over irregular routes, of milk from points in Cross Creek and Jefferson Townships, Washington County, Pa., to Follansbee, W. Va., and empty containers on the return trip, and general commodities, except household goods, as defined, commodities in bulk, and other specific commodities, between points in specified counties in Pennsylvania, on the one hand, and, on the other, points in specified counties in Ohio and West Virginia. Spencer T. Money, Attorney at Law, Mills Building, Washington, D.C., for applicants.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-9402; Filed, Oct. 6, 1960; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—OCTOBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during October.

3 CFR Page	7 CFR—Continued Page	32 CFR	Page
Proclamations:	1016 9597	55	9602
3373 9593	10189597	804	
EXECUTIVE ORDERS:	1023—1024———— 9597	887	9602
EXECUTIVE ORDERS: 10530 9633	1031 9403	1001	9493
10857 9633	1032 9523	1002	9498
10889 9633	PROPOSED RULES:	1003	9499
5 CFR	927 9414	1005	
	1 022 0472	1006	
6 9431	943 9609	1007	
24 9431	959 9473	1711	
6 CFR	9979550	32A CFR	
	1034 9550	l e e e e e e e e e e e e e e e e e e e	
430 9529		PROPOSED RULES:	
443 9431		OI (CHAP. X):	
446 9594		OI Reg. 1	9645
7 CFR	13 CFR	33 CFR	
6 9634		202	0406
	121 9568	203	
29 9517		204	
818 9401 850 9450, 9452–9457, 9549–	14 CFR		9004
	507 9528, 9643	35 CFR	
9463, 9465, 9466, 9637, 9639, 9640	6009404	5	9532
864 9401	6019404_	CANAL ZONE ORDERS:	
903 9597	9406, 9435, 9436, 9529, 9598, 9599	3	9532
905—908 9597	6029600	55	9532
911913 9597	PROPOSED RULES:	38 CFR	
916—919 9597	507		
921 9597	6009415	2	
922 9401	601 . 0415 0410	19	9471
923—925 9597	600 0410 0410 0474	41 CFR	
928—931 9597	600 . 0410 0474	1-2	0522
932 9597	14 CED	1	3000
935 9597		42 CFR	
938 9642	3 9530	58	9644
941—944 9597	13 9404, 9469, 9530, 9531, 9600	59	
946—949 9597	1 D	42 CED	
952 9597		43 CFR_	
953 9402	I .	PROPOSED RULES:	
954 9597	20 CFR	191	9647
956 9597	404 9468	192	9647
958 9467	21 CFR	47 CFR	
961 9402	121 9469, 9531, 9601		
963 9597		3	9533
965-967 9597	1110 0100	4 9535,	9606
968 9402	1404 9040	42	
971—972 9597	I LUCTUSED TUCLES.	45	
974—978 9597		46	9437
9809597	.120 9473, 9474	PROPOSED RULES:	
982 9597	121	3	9610
005 000 000	130 9649	8	
985—988 9597	25 CFR	1	•
991 9597		49 CFR	
994—995 9597		10	
998 9597		170	9472
1000 9597	DECROCED PULLS		
1002 9597	20 0409) 50 CFR	
1004—1005 9597	100 000	32 9450, 9536, 9538-	9541
1008-1009 9597		9544, 9545, 9547, 9548, 9606	-9608
1011-1014 9597	9 9644	339407.	9549
	•		

	•
	•
	•
	-